Infantry arm.

First Lieut. Matthias Crowley, Seventh Infantry, to be captain, December 11, 1900.

First Lieut. Jacques de L. Lafitte, First Infantry, to be captain,

December 11, 1900.

First Lieut. John J. Bradley, Fourteenth Infantry, to be captain,
December 17, 1900.

APPOINTMENTS IN THE VOLUNTEER ARMY.

GENERAL OFFICERS.

To be brigadier-generals.

Col. Samuel M. Whitside, Tenth Cavalry, United States Army, January 3, 1901.

Maj. Charles Bird, quartermaster, United States Army, Janu-

ary 3, 1901.

First Lieut. Edward C. Brooks, Sixth Cavalry, United States Army, to be quartermaster of volunteers with the rank of major, January 3, 1901.

Capt. Charles Willcox, assistant surgeon, United States Army, to be surgeon of volunteers with the rank of major, January 3, 1901.

Capt. Henry A. Shaw, assistant surgeon, United States Army, to be surgeon of volunteers with the rank of major, December 19, 1900.

LINE OFFICERS.

Forty-fourth Infantry.

First Sergt. Ralph W. Jones, Company H, Forty-fourth Infantry, United States Volunteers, to be second lieutenant, December 15, 1900.

Thirtieth Infantry.

First Sergt. William B. Wallace, Company G, Thirtieth Infantry, to be second lieutenant, January 3, 1901.

Thirty-fourth Infantry.

First Sergt. John F. Murphy, Company G, Thirty-fourth Infantry, to be second lieutenant, January 3, 1901.

Forty-first Infantry.

Battalion Sergt. Maj. Reuel E. Sherwood, Forty-first Infantry, to be second lieutenant, January 3, 1901.

Forty-eighth Infantry.

Q. M. Sergt. William L. Gee, Forty-eighth Infantry, to be second lieutenant, January 3, 1901.

PROMOTIONS IN THE VOLUNTEER ARMY.

Forty-third Infantry.

First Lieut. Henry J. Stewart, Forty-third Infantry, to be cap-tain, December 31, 1900. Second Lieut. Walter S. Price, Forty-third Infantry, to be lieu-

tenant, December 31, 1900.

Forty-sixth Infantry.

First Lieut, Charles F. Wonson, Forty-sixth Infantry, to be captain, December 30, 1900.

Second Lieut. Frank S. Leisenring, Forty-sixth Infantry, to be first lieutenant, December 30, 1900.

Forty-seventh Infantry.

Second Lieut. Paul W. Harrison, Forty-seventh Infantry, to be first lieutenant, December 25, 1900.

Forty-eighth Infantry.

Second Lieut. John K. Rice, Forty-eighth Infantry, to be first

lieutenant, December 23, 1900.
Corpl. George Steunenberg, Troop A, Eleventh Cavalry, United States Volunteers, to be first lieutenant, December 20, 1900.

HOUSE OF REPRESENTATIVES.

Monday, January 7, 1901.

The House was called to order by the Clerk, Hon. ALEXANDER McDowell, who directed the reading of the following communi-

Speaker's Room, House of Representatives, Washington, D. C., January 7, 1901.

To the House of Representatives:

I hereby designate and name Mr. John Dalzell, a Representative from the State of Pennsylvania, to perform the duties of the Chair during this day, January 7, 1901.

D. B. HENDERSON, Speaker of the House of Representatives.

Mr. DALZELL accordingly took the chair as Speaker pro tempore.

Prayer was offered by the Chaplain, Rev. HENRY N. COUDEN,

D. D.

The Journal of the proceedings of Saturday was read and ap-

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Platt, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 3313. An act extending the mining laws to saline lands; S. 97. An act for the relief of Edward Byrne; S. 2270. An act appropriating \$5,000 to inclose and beautify the monument on the Moores Creek battlefield, North Carolina;

S. 2470. An act for the relief of G. G. Martin;

S. 3349. An act to amend an act entitled "An act granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian reservations, in the State of Nebraska," by extending the time for the construction of said railway

S. 4436. An act providing a means of acquiring title to two groves of Sequoia gigantea, in the State of California, with a view to making national parks thereof;
S. 4880. An act to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," by extending the time for the construction of said railway; and

S. 4804. An act to regulate the production and sale of milk and cream in and for the District of Columbia.

The message also announced that the Senate had passed without

amendment bill of the following title:

H. R. 12447. An act to amend an act approved June 1, A. D. 1900, entitled "An act to create the southern division of the southern district of Iowa for judicial purposes, and to fix the time and place for holding court therein."

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence

of the House was requested:

H. R. 11821. An act to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes; and H. R. 11820. An act to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4880. An act to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," by extending the time for the construction of saidrailway to the Committee on Indian Affairs.

S. 4436. An act providing a means of acquiring title to two groves of Sequoia gigantea, in the State of California, with a view to making national parks thereof—to the Committee on the Public

S. 3349. An act to amend an act entitled "An act granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian reservations, in the State of Nebraska," by extending the time for the construction of said railway—to the Committee on Indian Affairs.

S. 2270. An act appropriating \$5,000 to inclose and beautify the monument on the Moores Creek battlefield, North Carolina—to the Committee on Military Affairs.

S. 97. An act for the relief of Edward Byrne—to the Committee

on Military Affairs. S. 2470. An act for the relief of G. G. Martin—to the Commit-

tee on Military Affairs.

S. 4804. An act to regulate the production and sale of milk and cream in and for the District of Columbia—to the Committee on the District of Columbia.

CORRECTION.

Mr. HOPKINS. Mr. Speaker, I desire to correct the RECORD. On page 652, when the gentleman from Maine on Saturday had the floor, this colloquy took place:

Mr. Hopkins. Well, now, I deny it. I am not as familiar with pettifogging as the gentleman.

Mr. LITTLEFIELD. I will prove it out of the Record itself.

Mr. Hopkins. That is all right enough if the gentleman from Maine thinks he can effect anything in that way, because if there is any man who knows better than snother what can be done in that way it is the gentleman from Maine.

thinks he can effect anything in that way, because if there is any man who knows better than snother what can be done in that way it is the gentleman from Maine.

Mr. Littleffeld. The gentleman from Maine never yet defended a criminal, but he has prosecuted several in his time and he is after one now.

Mr. HOPKINS. That is the line of argument that we would expect from the gentleman from Maine from his previous course upon this floor, and I want to say to him right now that that will not change the course of the majority of this committee in the least. The facts that were presented by me yesterday are facts that I am willing to stand by regardless of the attitude of the gentleman or his remarks to me personally this morning.

Now, in the revision the gentleman from Maine has stricken

Now, in the revision, the gentleman from Maine has stricken out the charge, or the statement, that the gentleman from Maine never yet defended a criminal, but has prosecuted several in his time, and has left in the answer I made so it makes my answer to the first proposition the gentleman made entirely out of place. Now, I have no desire to have that statement which the gentleman made regarding the criminal in the RECORD if the gentleman on reflection desires to take it out; but what I insist is that the RECORD shall be corrected so I shall not be put in a false attitude in the RECORD itself. I say to the gentleman from Maine if he desires to eliminate the criminal charge I am willing the RECORD should be corrected, and the elimination of my answer also. But

I am unwilling to have my answer stand without the other going in.

Mr. LITTLEFIELD. Mr. Speaker, I found on examination of
the remarks made by the gentleman from Illinois on the preceding afternoon, that he had eliminated, in editing his remarks, the
statement he made about the State of Maine robbing other delegations, and, having noticed that fact, I thought I would take the

same course with my distinguished friend and make the elimination which I did. I am perfectly willing, however—

Mr. HOPKINS. Let me interrupt the gentleman right there. I will state to the gentleman that in my speech of the previous day there was nothing that misrepresented the gentleman from Maine. What I am complaining of is that he put me in a false attitude in the RECORD.

Mr. LITTLEFIELD. The gentleman from Maine has no desire to do that, and had no intention of that kind. I made the elimination to parallel the elimination made by the gentleman from Illinois. I do not desire to make the gentleman from Illinois appear improperly in the RECORD. What is the suggestion of the appear improperly in the RECORD.

Mr. HOPKINS. The gentleman from Maine can take his own course, either insert his remark or eliminate my answer.

Mr. LITTLEFIELD. I will leave that to the gentleman from

Illinois.

Mr. HOPKINS. No; the gentleman from Maine is the one that must do that; whether he leaves it in the RECORD or not is immaterial to me.

Mr. LITTLEFIELD. It is entirely immaterial except that it may suit the distinguished gentleman from Illinois. I will make such amendment in the RECORD as he thinks puts him right.

Mr. HOPKINS. It is not for me to say. The gentleman made the charge, and it is for him to say whether it goes into the RECORD or not; but if it does not go in, then it is entirely proper that my answer should be taken out.

Mr. LITTLEFIELD. I will leave it to the gentleman from Illi-

Mr. HOPKINS. No; the gentleman can not shift the responsi-

Mr. WILSON of South Carolina. Mr. Speaker, it seems to be a question of who shall take the initiative, and I ask unanimous consent that the answer of the gentleman from Illinois be eliminated from the RECORD.

The SPEAKER protempore. The gentleman from South Carolina asks unanimous consent that the RECORD be corrected by eliminating the answer mentioned by the gentleman from Illinois.

Mr. HOPKINS. Mr. Speaker, I do not think that ought to be done unless it is done by the gentleman from Maine.

The SPEAKER pro tempore. Objection is made.

Mr. LITTLEFIELD. I have no objection to that course, if it is agreeable to the gentleman from Illinois. Either course is satisfactory to me. I shall not stand here to insist that the gentleman from Illinois shall insert in the RECORD the charge of robbery that he made in reference to the State of Maine and inferentially against "the gentleman from Maine." If he wants that to appear

against "the gentleman from Maine." If he wants that to appear in the Record, or if he desires it to be taken from the Record (as he has already had it done)—if he wishes the matter to stand in that way, that is agreeable to "the gentleman from Maine."

Mr. HOPKINS. One moment right there. The gentleman can not shift the responsibility. There is nothing in my speech that misrepresents the gentleman from Maine. There was no change made in my speech that has any such effect. And it is not entirely from the gentleman to attempt to avoid assuming the responfrank for the gentleman to attempt to avoid assuming the respon-

sibility in his own case.

Mr. LITTLEFIELD. Well, I have no desire to misrepresent the gentleman. The reason for making the elimination was precisely Well, I have no desire to misrepresent the what I stated. If the gentleman from Illinois desired to remove from the RECORD a severe and harsh statement, I did not wish to

be behind the gentleman in such a proceeding.

Mr. HOPKINS. Well, it is a little remarkable, Mr. Speaker, that the gentleman should retain in the RECORD my answer to a remark which was eliminated, the effect being to put me in a false attitude in the Record. If he desired to eliminate my answer, I was here all day; he could have seen me and obtained my consent to eliminate that answer, if he had thought fit.

A MEMBER. He had no right to change your remarks.

Mr. HOPKINS. But he could have seen me and asked that

privilege.

Mr. RICHARDSON of Tennessee. I would like to ask the gentleman from Illinois a question. I could not hear his statement.

Are we to understand that the gentleman from Maine edited into the RECORD some intimation or insinuation

Mr. HOPKINS. No; he edited out of the Record a statement that he made, to which I had made an answer; and he left in my answer, the effect being to put me in a false position in the Record.

Mr. RICHARDSON of Tennessee. But the point was, as I understood, that the gentleman from Maine edited into or edited

out of the RECORD the statement or innuendo that he was after a

"criminal." I would like to know which it was.

Mr. HOPKINS. He took that out, but left in the RECORD my answer; and what I complain of is that this puts me in a false

Mr. LITTLEFIELD. Does the gentleman from Illinois wish "the gentleman from Maine" to suggest that that answer go out? Would that be agreeable to the gentleman from Illinois?

Mr. HOPKINS. Entirely so.
Mr. LITTLEFIELD. Very well, then, I make the suggestion.
The SPEAKER pro tempore. Without objection, the RECORD will be so amended

Mr. RICHARDSON of Tennessee. Mr. Speaker, we can not

hear what is going on, and we do not know what this agreement is.

The SPEAKER pro tempore. The Chair understands that the gentleman from Illinois and the gentleman from Maine have agreed that the answer of the gentleman from Illinois appearing in the RECORD shall be eliminated.

Mr. RICHARDSON of Tennessee. All right.

REAPPORTIONMENT.

Mr. HOPKINS. Mr. Speaker, I desire now to call up the bill which we have had under consideration—House bill 12740—making an apportionment of Representatives in Congress among the several States under the Twelfth Census. I have consulted with gentle-men on the other side about the time for closing debate on this bill and for taking a vote on the various propositions which will be submitted to the House. It will be agreeable to both sides, I think, so far as I have been able to get their views, that the general debate run on to-day and also to-morrow until 3 o'clock; that at 3 o'clock to-morrow the bill shall be read and considered in the House under the five-minute rule, subject to amendment and five-minute debate, but that the bill shall be finally disposed of before the adjournment to-morrow; the time occupied in debate to be equally divided between the friends of the bill of the com-mittee and those of the Burleigh bill; and the chairman of the committee to control the time in favor of their bill and the gentleman from Maine [Mr. BURLEIGH] to control the time in oppo-

Mr. PEARSON. I rise to a parliamentary inquiry-whether this agreement requires unanimous consent.

The SPEAKER pro tempore. Certainly it does.

Mr. PEARSON. I shall be obliged to object unless some little hearing be given to me on this matter. I understood from the gentleman from Maine that I should be allowed thirty or forty-five minutes; but he informs me this morning that there is such a demand upon him that he will not be able to come out that demand upon him that he will not be able to carry out that arrangement. I desire to say that so far as my State is concerned, and my district is concerned, no question has been presented in this Congress of more importance than this, and I can not vote

this Congress of more importance than this, and I can not vote intelligently for my people.

Mr. HOPKINS. Mr. Speaker, there has been plenty of time for debate. Speakers had to be hunted up on Saturday, and the debate has run now longer than it ought to, in view of the other legislation coming on. So far as I am personally concerned, I am willing that plenty of time shall be given to everybody; but the gentleman must know that after general debate shall close there will be the five minute debate, and then I will ask the privilege of printing speeches on this subject for ten days, so that everybody can ing speeches on this subject for ten days, so that everybody can have a full opportunity of having his views made known.

Mr. SHAFROTH. Will the gentleman from Illinois permit me to ask him a question?

Mr. HOPKINS. Yes.

Mr. SHAFROTH. Do you expect to permit only one substitute?

Mr. HOPKINS. Well, there may be only one substitute; but I will say to the gentleman that the committee's bill is subject to amendment until it is perfected, and then after that the Burleigh bill is to be offered as a substitute.

Mr. SHAFROTH. If that does not pass, will the gentleman

permit another substitute?

Mr. HOPKINS. You can have but one substitute.

Mr. SHAFROTH. I understand you can have only one substitute, but if it is voted down I would like to offer an amendstitute, but if it is voted down I would like to offer an amendment, and I hope the gentleman will not demand the previous question before I shall have an opportunity to do so.

Mr. HOPKINS. I will not.

Mr. SHAFROTH. Then, I have no desire to object.

Mr. PEARSON. I ask the gentleman from Illinois, for whom I have a very high regard, if he is not willing to make it half past 3?

I do not ask to close the debate, but desire to have thirty minutes. I ask that with a good deal of feeling, as a heart to heart thrust-

Mr. HOPKINS. I appreciate the position of the gentleman from North Carolina, and I have given away one hour's time more than I expected to in order to meet just such a demand as that of the gentleman from North Carolina; and I will say this, that under the five-minute debate, if too much time is not taken in voting,

the gentleman can get time.

Mr. RICHARDSON of Tennessee. Mr. Speaker, it is impossible for us to hear, and we can not agree to any arrangement that

is made unless we understand what it is.

The SPEAKER pro tempore. It is impossible to hear at the desk what is being said by gentlemen, and the House will please

Mr. PEARSON. I would like to have it understood that I am

to have time

Mr. FITZPATRICK. As the gentleman from North Carolina asks time, I am sure the gentleman from Illinois is willing that he shall have it, and I hope there will be no objection to giving him twenty minutes.

Mr. HOPKINS. I believe that the matter can be arranged be-

tween the gentleman from Maine [Mr. BURLEIGH] and myself.
Mr. PEARSON. I want that result to be certain.
Mr. JONES of Washington. Mr. Speaker, I want to say this:
I do not desire to delay this matter, but the State of Washington is deeply interested in this bill. It requires that State to have 257,000 people to give us one Representative. Now, I want some time upon this bill. I do not want the time to talk to my constituents, but to present facts to this House, and I would like to have twenty or thirty minutes out of this general debate. I do not feel like consenting to fix a time without having some understanding as to what I am going to get.

Mr. HOPKINS. Mr. Speaker, I see no objection to having an evening session, if some of these gentlemen desire it.

'The SPEAKER pro tempore. What is the request of the gentleman?

Mr. HOPKINS. I desire to have my request put as I made it. The SPEAKER pro tempore. Including an evening session?

Mr. HOPKINS. No; not unless it is asked for.
The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that general debate on the pending bill continue to-day and to-morrow until 3 o'clock; that thereupon debate shall be had under the five-minute rule for amendment, and that a vote shall be taken on the bill before adjournment to-morrow, the time to be equally divided and controlled by the gentleman from Illinois on one side and the gentleman from Maine on the

other. Is there objection?

Mr. JONES of Washington. Mr. Speaker, just a moment. On assurances that I am to be taken care of as nearly as possible, I

will not object.

Mr. OTEY. Mr. Speaker, I would like to say that Virginia is

Mr. HOPKINS. Virginia will be taken care of.
Mr. OTEY. On the assurance that Virginia will be given thirty
minutes. I will not object.

Mr. HOPKINS. I understand that Virginia will have more than that

The SPEAKER pro tempore. Is there objection? [After a

pause.] The Chair hears none.

Mr. HOPKINS. I yield twenty minutes to the gentleman from
North Carolina [Mr. KITCHIN].

Mr. UNDERWOOD. Mr. Speaker, I would like to take a moment to make a statement in reference to a pair. On Saturday I agreed to see that Mr. WANGER was paired in the RECORD. agreed to see that Mr. WANGER was paired in the RECORD. I had arranged a pair with one of my Democratic colleagues. Through a mistake it failed to go in the RECORD. It will appear, however, in the permanent RECORD. The gentleman from Pennsylvania [Mr. WANGER] has written to know why he was not paired. I merely make this statement so that it may go into the RECORD.

Mr. BARTLETT. Mr. Speaker, I desire to make a personal explanation in reference to this matter myself.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. KITCHIN. No; the Chair has not yet recognized me. The SPEAKER pro tempore. The gentleman from North Carolina is recognized as entitle to the floor for twenty minutes.

Mr. HOPKINS. Before the gentleman proceeds, I will ask one more unanimous consent, and that is for leave to print speeches in the RECORD for the next ten days, and also permission to extend remarks.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that leave to print be granted for ten days.

Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker, I shall content myself with voting for the majority bill in this controversy. I shall first vote

to strike out the amendment offered by the committee, because I believe that Congress has no power to direct the States as to the

manner in which they shall divide their districts. During the first fifty years of the Republic Congress merely apportioned the Repre-

sentatives and said nothing of districts in the States.

In 1842 Congress said the districts should be composed of contiguous territory. While that was objectionable, yet contiguous has a certain meaning, and can hardly be susceptible of more than one interpretation. This committee amendment proposes to put in the words than deep residual comments. in the words "and compact," which, I submit, is unwise as well as unauthorized by the Constitution, because "compact" may be liable to various constructions and become the cause of great confusion hereafter. Disappointed and defeated candidates, ever ready to complain, may base contests upon the shape of their districts and give the House an opportunity to unseat the successful candidate, and opportunity is often deemed duty.

The Constitution says that the Representatives shall be apportioned among the several States. After the States receive this apportionment, in my judgment, the powers of Congress are at an end. Congress should not go into the States and direct the creation of the districts. My colleague from North Carolina [Mr. KLUTTZ], a member of the Census Committee, with his usual whilting and diligence has faithful ability and diligence, has fairly and fully considered the pending

measures, and his conclusion meets my approval.

But, Mr. Speaker, not only are the Burleigh substitute and the majority bill pending, but the Crumpacker bill is also before this Since the gentleman from North Carolina [Mr. LINNEY], the gentleman from Indiana [Mr. CRUMPACKER], and the gentleman from Pennsylvania [Mr. Olmsted] seem disposed to push this proposition to the front, I think it proper that it should be

met at this time.

As is well known, immediately after the war, when the four-teenth amendment was adopted, it had in view negro suffrage throughout the South, but it did not attempt to compel it. It held forth an inducement to the States to grant it. That inducement is found in the fourteenth amendment, in the second section, the penalty of reduced representation being declared against States that refused the right of suffrage to the negrorace. President Lincoln never wanted negroes to become voters. He recognized that the white race is superior to the black one, and, as he said in his speech at Charlestown, these two races could not live upon terms of equality, that there were physical differences which would prevent them from so living, and since that was a fact he declared himself in favor of assigning the superior position to the white race.

That sound view was not altogether obliterated when the fourteenth amendment was adopted. But in the days of reconstruc-tion, and as I believe in hostility to the white people of the South, the opinion grew that negro suffrage should be forced upon the people of the eleven Southern States, and so the fifteenth amendment was presented and compelled to be adopted throughout the South by means that can not be approved by honest men, while great States in the North were voting their disapproval of it. Without the compulsory and vicious means used in the South it would not have been adopted. However, as Mr. Boutwell, who had charge of the fifteenth amendment while pending in this body, said, it was designed to carry out the powers placed in Congress by the fifth section of the fourteenth amendment.

It prescribed that the right to vote should not be denied or abridged on account of race, color, or previous condition of servitude. That was the ultimate purpose of the second section of the fourteenth amendment, which had the penalty of reduction of representation in it. Mr. Speaker, that being the purpose of the fourteenth amendment, and the fifteenth amendment being the enforcement of that purpose, then unless a State violates the fifteenth amendment Congress has no power to act against her under a fair and reasonable interpretation of these two articles of

the Constitution construed together.

Mr. Blaine, in his Twenty Years of Congress, says:

When therefore the nation by subsequent change in its Constitution declared that the State shall not exclude the negro from the right of suffrage it neutralized and surrendered the contingent right it before held to exclude him from the basis of apportionment. Congress is thus plainly deprived by the fifteenth amendment of certain powers over representation in the South which it previously possessed under the provisions of the fourteenth amendment.

When the fifteenth amendment says that the States shall not deny or abridge the right to vote on account of race, color, or previous condition of servitude, the mentioning of these three conditions, in my judgment, is an exclusion of all others, and is conditions, in my judgment, is an exclusion of all others, and is tacit permission to the States for any other cause than race, color, or previous condition of servitude to abridge or deny the right of suffrage without penalty. The United States Constitution in no wise deprives a State of the right to prescribe qualifications for her voters, nor does it, in my judgment, impose any penalty upon the exercise of that right, and the true meaning of the fifteenth amendment is that if a citizen has the qualifications prescribed by a State, then his right to vote shall not be denied on account of race, color, or previous condition. But I call the attention of the gentleman from Indiana to this proposition, that when the

State of Massachusetts has an educational qualification, and the State of Pennsylvania a tax-paying qualification, it is not a

denial of the right of suffrage.

If the gentleman from Indiana [Mr. CRUMPACKER] will consider, he will find a vast distinction between a denial of a right and the qualifying of that right. The Supreme Court of the United States held that the act of Congress which excludes from the mails newspapers, etc., containing advertisements of lotteries and other lottery information does not abridge the freedom of the press. It is certainly a qualification of it. We frequently have and other lottery information does not abridge the freedom of the press. It is certainly a qualification of it. We frequently have rights which are absolute in themselves, and yet in order to enjoy them we must qualify ourselves. Requiring those who desire appointments to stand a civil service examination is not a denial of the right to hold office. When we say that a man must be registered before he can vote it is not a denial of the right to vote. We merely tell him that he has the right but before he can exercise it he must qualify by registering. The law may tell him that he must pay his poll tax before he can exercise the right he already has. already has.

Massachusetts tells him that he must be able to read and write before he can exercise this right, and when Massachusetts imposes the educational qualification upon a voter she has not denied him the right to vote, she has not abridged his right to vote, because, as I gather from the dictionaries, abridgment means to cut off.
It practically means the same thing as to deny. You have not cut off a man's right, you have not denied the man's right to vote when you prescribe reasonable qualifications.

The late Senator Charles Sumner in debating suffrage admitted that knowledge was a proper qualification for a voter. Hon, George S. Boutwell, in answer to a direct question, said that the fifteenth amendment would not prevent property or educational

qualifications.

Mr. Speaker, the State of North Carolina, which has been so greatly misrepresented here, in my judgment, has not denied the right to vote on account of race, color, or previous condition of servitude. But I will not now discuss this, as during the last session I fully discussed the North Carolina amendment. She has prescribed reasonable qualifications. Chief among them is the educational test, the test that Massachusetts, Wyoming, Connecticut, and other States have. After 1908, no one registers under the soand other States have. After 1908 no one registers under the so-called "grandfather" clause for the first time. I will append the whole amendment to my remarks when published. Mr. Speaker, I think that there is a bitter sectional spirit in this proposition to reduce the representation of North Carolina and other States.

While the great majority of business men in the North, and, l believe, its best and most patriotic statesmen, bear no sectional spirit hostile to the South, this proposition has shown that many men in the North still are ready to arouse sectionalism and create prejudice against the South. The time has not yet come when the Republican party can be considered the friend of the South. Let those who have thought so consider this proposition and be undeceived. Yet I rejoice that many of the ablest Republican leaders in this House do not encourage this proposition.

I believe the record shows a partisan spirit in this attempt to reduce representation. The gentleman from Indiana [Mr. Crumpacker], in his original bill, that truly represented his purposes, instead of decreasing increased the representation of Massachusetts and decreased the representation only of Southern States. The Congressional Directory, showing the vote by which members of this House were elected, shows that in the State of Massachusetts in 1898 there were only 22,000 votes cast in each Congressional district, while in the State of North Carolina there were cast in each district 36,000 votes.

In the State of Pennsylvania there were cast only 29,000 votes in each district; in the State of Maine, 18,000; in Vermont, 21,000; in Rhode Island, 19,000. Now, if the gentleman from Indiana had dealt with Massachusetts as he dealt with North Carolina, instead of increasing the representation of Massachusetts he would have reduced her representation from 13 to 6, or in about

that proportion.

But, Mr. Speaker, if you believe that the conduct of Massachusetts and North Carolina falls under the operation of the second section of the fourteenth amendment, how should you proceed? The only possible way for fair men to reach the proper result would be to find out, in the first place, a matter which these gentlemen on the other side have not fully considered, whether, except for crime, any man's right to vote is denied, which we controvert; second, whether the fourteenth amendment in that retrovert; second, whether the fourteenth amendment in that respect was not completely merged into the fifteenth amendment, as I contend it was; and then, finally, if he concludes against us on those propositions, it would be his duty to find out exactly how many people of North Carolina could vote under our laws when they become effective, and how many would be legally refused the right to vote when they endeavor to comply with the election laws, and also the grounds of such refusal.

The continuous rill tall you when he considers these exactions

The gentleman will tell you when he considers these questions that there will not be a thousand white men in the entire State of

North Carolina who will fail to vote if they so desire. tell you that there will not be to exceed 50 per cent of the colored men who will not vote if they so desire. He will find that our men who will not vote if they so desire. He will find that our reduction in any event could only be in the proportion of about 15 to 100, as the recent census will show only about 30 per cent of our population to be colored—perhaps not that much. But instead of these just figures, the gentleman presented a bill which reduced the representation of North Carolina to 5 members, cutting off 4 of her 9, while at the same time he put up the representation of the State of Massachusetts to 14 instead of her present number of 13. And yet everyone who can qualify under the law of Massachusetts can qualify under the North Carolina amend-

A qualification, Mr. Speaker, is something that is attainable. If a State should say that a man should not vote unless he had If a State should say that a man should not vote unless he had red hair or blue eyes, since the color of his hair and eyes are fixed, that would be cutting off the right of others to vote; but when you prescribe a reasonable qualification, one that is attainable—and I am but giving you the definition of a qualification that Mr. Sumner gave in the Senate—when you prescribe an attainable thing, which is reasonable, it is a mere qualification, a qualification of a right that still exists in the voter. While if you deny the right on account of color the black man can never become a voter; if you deny the right to blue-eyed men, a blue-eyed man can never become a voter. These would not be qualifications. They would be denials and abridgments, but when you prescribe a poll tax or an educational test, you are prescribing reasonable

a poll tax or an educational test, you are prescribing reasonable qualifications within which every citizen may bring himself.

Another proposition. If, as the gentleman from Indiana [Mr. CRUMPACKER] and the gentleman from North Carolina [Mr. LINNEY] both contend, the laws of Louisiana and North Carolina are unconstitutional, why should you base upon an unconstitutional act an attempt to deprive a sovereign State of its just representation? Sirs, if you believe these provisions are unconstitutional, you should regard them as nullities, presume that they will be so declared, and should not attempt to cut down the representation

on that account.

Mr. Speaker, representation and taxation should go together. It has not been claimed that voting and taxation should go together, for women, insane people, and minors pay taxes. The man who does not vote pays his part of the taxes just as the woman, the minor, and the nonvoter do. The individual voter now represents the women, children, and nonvoters. The gentleman from Indiana [Mr. CRUMPACKER] and the gentleman from North Carolina [Mr. Linney] would deny representation to these tax-paying nonvoters. While we have only placed the nonvoter in the same category with the women and the children, they place him upon the level of the mule and the ox, and would deny him representation.

If you are going to let the number who vote determine representation in the House, then you will increase the representation of Colorado, Utah, Idaho, and those States which extend suffrage to women. That would be proper as a matter of right from their argument, aside from constitutional provisions.

But, Mr. Speaker, the gentleman from North Carolina [Mr. LINNEY], in my judgment, on Saturday did his native State a grave injustice in his fourth or fifth annual diatrile against the Demogracy of North Carolina. We have heard him often, and his Democracy of North Carolina. We have heard him often, and his latest revised edition perhaps contains more venom and injustice than any of his former efforts. It is not a new assault that he de-livers. He argued that the white counties of North Carolina were Republican.

Take the election of August, 1900, and, eliminating every single county with a black majority in the State, it went Democratic by 39,000 majority. Take the election of November, 1900, and, eliminating every county that has a black majority, the State went for Bryan and Democracy by 15,000. Under the election law that the gentleman's own party gave our people, an election law that gave the Fusionists in North Carolina the absolute control over the election, the people of North Carolina were so shocked and shamed at the rule the Republican party had given the State that they hurled them from power by a majority of

24,000 in November, 1898.

The gentleman talks about the counties of Halifax and New Hanover. In one county he says the Democrats got a vote of about 3,000 and Republicans only 2, and that the other gave more votes than it had registered voters. Ah, Mr. Speaker, if the gentleman had been entirely candid, and, not arguing from a par-tisan standpoint, intended to give the members of this House a fair understanding of the conditions there, the gentleman would have gone one step further and would have told you that the county of New Hanover had been afflicted by his own party with 86 negro officials. He might have told you that the same spirit that thrills the white man in North Carolina thrills the white man in Indiana, where recently white mobs lynched two negroes for murdering a white barber. He might have told you that the spirit that thrills the white man in North Carolina is the same that thrills him in Pennsylvania, the home of the gentleman who is so anxious to investigate these matters.

He might have gone to Illinois and found that wherever the white man looks to the blue sky the spirit of superiority and progwhite man looks to the blue sky the spirit of superiority and progress stirs within him. He would have told you that under the disgraceful and shameful régime inflicted upon the people by the Republican party the white men did rise in their might and hurl them from power. The gentleman wants to know if that is fair. Was the election conducted fairly? I tell you in the light of a sound philosophy, in the eye of civilization and justice, it was fairer and juster than the disgraceful régime that made that revolution processory. [Appleage]

The white people there have done no more than such people would do in any community. Wherever the negro race numerically predominates in the South there the white men stand almost unanimously together. As the negroes throughout the State vote almost solidly together. As the negroes throughout the State vote almost solidly together, so the overwhelming majority of the white race, with its superior virtue and intelligence, vote together, and they must necessarily do so to preserve their civilization and their supremacy. Those who think that negro majorities in several counties of the State should control those counties and their good towns may criticise Democratic successes there; but they can certainly deceive no one by asserting that there is no danger in negro domination since there are more whites than blacks in the State. One might as well have told the citizens of this city in 1864 that

there was no danger in the Confederate army, since there were four times as many Federal soldiers as there were Confederates. The deception in the assertion is disclosed by the fact that in many localities the black race predominates, and in those localities the danger is, although the State has a large white majority. As an example, the county of New Hanover three years ago, when the Republicans were in control, had a negro register of deeds, negro deputy sheriffs, 40 negro magistrates or justices of the peace, a negro county commissioner, and its great city, Wilmington, had several negro aldermen, several negro policemen, and negro health

omeers.

The Democratic party of the South is against such conditions and believes it right to take constitutional steps to prevent their return, and the Republican party has in vain attempted, and will in vain attempt, to stop its progress. It has interposed against the Democracy 90,000 negro votes in North Carolina, but the Democracy triumphed. Its continued fight on our amendment will be set its first believe.

hurt itself and help us.

hurt itself and help us.

Mr. Speaker, since the civil war long years have passed. Is it not time for the country to be given rest from sectionalism? Can gentlemen still in the North grow in popularity by condemning the dominant element in the South? If so, let us hasten the passing away of such conditions. I appeal to the patriotic members of this body, and I hope they all are patriotic, to set the seal of disapproval upon the Crumpacker proposition, and let the country know that Congress will not for prejudice or unjust cause undertake to strike down the power of any sovereign State.

APPENDIX.

The North Carolina constitutional amendment adopted by the voters at the general election held on August 2, 1900.

ARTICLE VI.

ARTICLE VI.

SUFFRAGE AND ELIGIBILITY TO OFFICE.

SECTION 1. Every male person born in the United States, and every male person who has been naturalized. 21 years of age, and possessing the qualifications set out in this article, shall be entitled to vote at any election by the people in the State, except as herein otherwise provided.

SEC. 2. He shall have resided in the State of North Carolina for two years, in the county six months, and in the precinct, ward, or other election district in which he offers to vote four months next preceding the election: Provided. That removal from one precinct, ward, or other election district to another in the same county shall not operate to deprive any person of the right to vote in the precinct, ward, or other election district from which he has removed until four months after such removal. No person who has been convicted, or who has confessed his guilt in open court upon indictment, of any crime the punishment of which now is or may hereafter be imprisonment in the State's prison shall be permitted to vote unless the said person shall be first restored to citizenship in the manner prescribed by law.

SEC. 3. Every person offering to vote shall be at the time a legally registered voter, as herein prescribed, and in the manner hereafter provided by law, and the general assembly of North Carolina shall enact general registration laws to carry into effect the provisions of this article.

SEC. 4. Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and before he shall be entitled to vote he shall have paid, on or before the lst day of May of the year in which he proposes to vote, his poll tax for the previous year, as prescribed by article 5, section 1, of the constitution. But no male person who was on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any State in the United States wherein he then resided, and no lineal descendant of any such person, shall be

disqualified under section 2 of this article: Provided, Such person shall have paid his poll tax as above required.

Sec. 5. That this amendment to the constitution is presented and adopted as one indivisible plan for the regulation of the suffrage, with the intent and purpose to so connect the different parts, and to make them so dependent upon each other, that the whole shall stand or fall together.

Sec. 6. All elections by the people shall be by ballot, and all elections by the general assembly shall be viva voce.

Sec. 7. Every voter in North Carolina, except as in this article disqualified, shall be eligible to office, but before entering upon the duties of the office he shall take and subscribe the following oath:

"I. — , do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as — . So help me God."

Sec. 8. The following classes of persons shall be disqualified for office: First, all persons who shall deny the being of Almighty God. Second, all persons who shall have been convicted, or confessed their guilt on indictment pending, and whether sentenced or not, or under judgment suspended, of any treason or felony, or of any other crime for which the punishment may be imprisonment in the penitentiary, since becoming citizens of the United States, or of corruption or malpractice in office, unless such person shall be restored to the rights of citizenship in a manner prescribed by law.

Sec. 9. That this amendment to the constitution shall go into effect on the 1st day of July, 1902, if a majority of votes cast at the next general election shall be cast in favor of this suffrage amendment.

Mr. HOPKINS. I now yield fifteen minutes to the gentleman

Mr. HOPKINS. I now yield fifteen minutes to the gentleman

mr. HOPKINS. I now yield riteen minutes to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Speaker, the measure proposed by the minority of the committee might properly be denominated "a proposition to still further reduce the opportunity of members of the House to debate the questions before it." We have just had a striking example of the inability of this House to debate by the discussion this proprint as to leave to print or the contribution in discussion this morning as to leave to print, or the cogitation in the RECORD that is to take the place of debate in the House. Why is this? Why should members be compelled to write for the dead RECORD instead of talking to the living members? It is because of the size of the House.

If the House were 360 members, and in the short session should set apart one hour to each member for debate, you will find by computation that, including the holiday recess, there are exactly 360 debating hours in the whole time, giving five hours session each day; so that the 357 members and three delegates (making no allowance for the delegate from Hawaii, who ought to be

no allowance for the delegate from Hawaii, who ought to be counted)—but I take 360 because there are only 360 hours, and there would be just one hour apiece for each member.

The result of this enlarged House has been that rules have necessarily been adopted to cut off debate and take away from this body its deliberative power. If you increase the number to 400 you still further curtail the rights of each member. But the proposition is to increase it in this way, so as to keep the progress of the country parallel with the slow growth of population in Maine and Virginia.

I have prepared a table, which I will insert in my remarks, that will show what has become of the population of Virginia and Maine.

From the Congressional Directory, which I have examined for the purpose, I find that the Senators and Representatives repre-senting the various States give their nativity as follows:

	Senators and Representatives—	
State.		Representing State.
Alabama Arkansas California Colorado Connecticut (including GROSVENOR of Ohio and GROW of Pennsylvania) Delaware Florida Georgia Idaho Illinois Indiana Iowa (of which 3 are in Nebraska and 1 in Washington) Kansas Kentucky Louisiana Maine (including ALEXANDER of New York, ROBERTS of Massachusetts, FLETCHER of Minnesota, and PERKINS of California) Maryland Maryland Massachusetts Michigan Minnesota Minneso	14 55 0 0 0 6 2 2 2 14 0 0 177 8 1 1 21 4 2 1 1 2 1 2 2 1 2 9 9 0 0 0 0 0 4	11
New Jersey New York North Carolina (including CANNON of Illinois and HAW-	8 48	36
LEY of Connecticut)	15	11

*1 vacancy.

	Senators and Representatives—		
State.	Born in State.	Representing State.	
North Dakota Ohio Oregon Pennsylvania Rhode Island South Carolina South Dakota Tennessee Texas Utah Vermont Virginia (Virginia 20, and West Virginia, formerly Virginia, 6) Washington West Virginia Wisconsin Wyoming	6	*30	

*1 vacancy.

Foreign born, 22.

Maine has to-day in this Congress, in the Senate and House, from various States, 10 members. She would have under the present apportionment only 6. And yet Maine has on the floor of the two Houses of Congress Mr. ALEXANDER of New York, Mr. ROBERTS of Massachusetts, Mr. FLETCHER of Minnesota, and Mr. PERKINS of California, in addition to her own membership. Take the State of Virginia and she would be entitled to 10 Representatives and 2 Senators, total 12. She has in the Senate and House to-day 26 of her sons as members. Her population has been exported 26 of her sons as members. Her population has been exported. Some of these wanderers have been returned to Congress. I was up in Maine a few years ago taking depositions in a will case with a distinguished Maine lawyer, and we took a team and a notary public along with us, and traveled over York County, in the district lately represented by Speaker Reed, at present represented by the gentleman from Maine, Mr. ALLEN.

by the gentleman from Maine, Mr. ALLEN.

The six witnesses first examined, in response to the interrogatory "What is your name, age, place of residence, and occupation?" gave their age in each case as over 80. The seventh witness, when I asked him his age, said "64." I said, "You are quite a young man." He replied, "Yes, for Maine." [Laughter.] The old men remain in the old homes. The young people have emigrated from Maine. They have "gone West to grow up with the country." And they have made themselves felt wherever they have gone. A Maine man is like a Scotchman, of whom it has been said that "whenever you find anything in this world that is worth anything you either find a Scotchman sitting near waiting for it or sitting down on top of it." So with Maine men; wherever you go in the United States you will find a Maine man wherever you go in the United States you will find a Maine man leading the procession. Maine has now the Chief Justice of the United States Supreme Court, coming by way of Illinois, in the person of Justice Fuller.

Mr. OTEY rose.
Mr. LACEY. I will say to my friend from Virginia that if the same thing might be said in regard to that State modesty would forbid me to say it.

Mr. OTEY. May I ask the gentleman a question? Mr. LACEY. I have but fifteen minutes, but I will yield for a question.

question.

Mr. OTEY, You are from Virginia yourself, I believe?

Mr. LACEY. Yes, sir.

Mr. OTEY. That is all I wanted to know. [Laughter.]

Mr. LACEY. I pleaded guilty to that charge, by indirection at least, a moment before the gentleman asked the question.

Now, sir, we can not keep the membership of this House within reasonable bounds and at the same time keep the growth of the membership in line with the growth of Virginia. Why? Because people who have the honor of being born there move away to some place where the soil is more fertile. That is the natural course of the human race. the human race.

the human race.

I have given the nativity in the table of the members of all the States. Twenty-two of them are from foreign countries, and the balance were born in the United States. Now, take the State of Ohio. She is entitled to 23 representatives in this body and in the Senate. She has 37 native sons in the two Houses of Congress. California has an organization known as "The Native Sons of California." Yet California has no "native son" in either the Senate on the House, because the records of that State are majely men. or the House-because the people of that State are mainly men who have been born somewhere else. But we can not continue

representation in this House upon the present ratio without making the House too cumbrous for the transaction of business.

Why, sir, the very gentlemen who ask for the adoption of the minority report on this bill, increasing the membership to 384, complain constantly that even now there is no time for debate. The appeal is made to the chairman of the committee controlling

the present bill, "Give us leave to print our remarks in the Rec-Why is this? Simply because the House has outgrown in numbers a body in which debate can be fully, intelligently, and

profitably carried on.

When the number of offices of a certain class has been fixed it is almost impossible to ever after reduce that number. This is human nature. During the Spanish war complaint was made that some dynamite had been found somewhere in the purlieus of the Capitol. We immediately put on twelve additional policemen to protect the Capitol from the Spanish dynamiter. The Spanish war is over, and now the same twelve extra policemen are protecting us from the Filipinos! [Laughter.] If we should come back here a thousand years from now, those twelve men, represented by their successors, would be found watching for Spanish dynamite! It seems impossible to abolish an office when once it has been created. We have the number of Representatives now fixed at 357. Increase that number to 386 or 390 and it can never be reduced below that number.

The proposition of the majority now is to continue the House

The proposition of the majority now is to continue the House at its present number—burdensome, cumbersome, and unwieldy as the body now is, making business and debate difficult enough. That is the proposition; and I think that, in the light of our experience, we ought not make any increase. The House is already not only big enough, but too large.

A State makes a mistake when it assumes that its dignity in

A State makes a mistake when it assumes that its dignity in Congress depends upon the number of its Representatives. Take Maine, for example, with only 4 members. Those 4 Representatives from the Pine Tree State in past Congresses have controlled and shaped the legislation of this country beyond those of States with four, five, or six times that number. The influence and power of a State in this House depend on the strength and character of its delegation. The time must come when Maine must be cut down to 3 Representatives, or else this House must become still more unwieldy than it is to day.

come still more unwieldy than it is to-day.

Under the Constitution one-fifth of the members present may require a roll call and the record of the yeas and nays. At present calling the roll and announcing the pairs, followed by a re-

ent calling the roll and announcing the pairs, followed by a recapitulation of the vote, requires almost one hour with the present membership of the House. To increase the number of the membership adds greatly to this difficulty.

I do not think the opportunity for deliberation ought to be reduced by any material addition to the present large membership. Under the Constitution a majority of the whole constitutes a quorum. In Great Britain a q House of Commons is required. In Great Britain a quorum of only 40 members of the

The larger the membership the harder it is to obtain and preserve the attendance of a quorum. Let us not embarrass the House further by adding to the burdens of the quorum and roll

call.

I called the attention of the gentleman from Maine [Mr. LITTLE-FIELD] the other day to the inequalities of the bill proposed by his colleague [Mr. BURLEIGH]. Take the population of Maine, mul-Insolie agus and it does not equal the population of the State of Iowa, an excess of over 38,000 remaining. Multiply the representation of Maine by 3, and it would give Iowa 12 members. With more than three times the population of Maine, Iowa's quota is less than three times that of Maine by one member. The Burleigh bill proposes to give Iowa 11 members and Maine 4. It thus appears that it is not equality of representation that some gentlemen are seeking, but inequality. They are desiring to retain the present number of Representatives in their States in any way that it can be done, without much reference to the inequali-

way that it can be done, without interference to the inequalities that may result elsewhere.

This is perfectly natural. We find the same thing in Maine that we do in other States. Take the State of Virginia, the grand old "mother of Presidents." She has made but slow growth. It must continue to be slow. With the mountains that cover her

must continue to be slow. With the mountains that cover her surface in part, and with the poverty of the soil in other parts, the increase of population must necessarily be tardy. Many good men stay in Virginia; many good men move away from it—so, too, with Maine.

Then compare the States of the West. Indiana has become an emigrating State. So with Ohio. Ohio would be cut down one by this bill. But there are already 36 of her sons in Congress, while 23 is the limit of her own delegation under existing law. An Ohio man, wherever he goes, turns his face toward the capital An Ohio man, wherever he goes, turns his face toward the capital of the country, and in many cases is sent here by constituencies, the mass of whom may be born in other States. How is it with the State of New York? New York has 36 of her own Members and Senators at present, and yet there are 48 natives of New York in the two Houses, because New York is a great State for emigration. Her sons will be found in every nook and corner of the Union.

Indiana, which will lose 1 member under the proposed bill, has 15 members and Senators now, and yet there are 17 Indianians on the floor of the two Houses

A Member. How about Massachusetts?

Mr. LACEY. My friend asks about Massachusetts. Massachusetts has 15 members and Senators, and yet there are 21 natives of that State in the two Houses to-day. So, then, it is perfectly obvious that we can not take care of those States that are growing more slowly than the average and keep up the representation which they now have, and at the same time not enlarge this body beyond the limits necessary for reasonable transaction of business. One-third of the population of Iowa are either directly or indirectly from Ohio. One-third of the people of Kansas are either directly or indirectly from the State of Iowa. The emigration is thus moving on first to Indiana, then to Illinois, then to Iowa, and then to Kansas.

But complaint is made about the reduction of Nebraska. is largely due to the overcapitalization of the population of Ne-braska in the census of 1890. The city of Omaha has apparently declined 40,000 from 1890 to 1900. That decline is apparent and not real. It is unquestionably a result of the fierce competition between Omaha and other cities on the Missouri River in the census The same condition exists elsewhere to-day. There are cities whose census has been taken this year that will undoubtedly show unsatisfactory growth in 1910 because they have succeeded in some degree in padding in the year 1900.

It is impossible to retain the present membership of all the States (much as we should like to do so) and at the same time recognize

the wonderful growth of some of the other States.

As to the reduction of the representation of Louisiana, South Carolina, Mississippi, and North Carolina because of the disfranchisement of the colored voters there, it seems to me that there is no room for debate. The fifteenth amendment to the Constitution provides:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

The mendate is decisive and imperative. These States may

The mandate is decisive and imperative. These States may, under the guise of requiring an educational qualification, deny the right to vote to a portion of their male inhabitants, but in doing so they must incur the penalty of a proportionate reduction of their representation in Congress.

The justice of this is self-evident, and the obedience to the Constitution is required by the official oath of every member of Constitution.

If these States desire to deny the right of suffrage, they ought to be willing to accept the result of the reduced representation required by the fifteenth amendment to the Constitution.

Here the hammer fell.]

The SPEAKER pro tempore. The gentleman from Indiana [Mr. CRUMPACKER] is recognized for one hour.

[Mr. CRUMPACKER addressed the House. See Appendix.]

Mr. WILSON of South Carolina. Mr. Speaker, this contest, involving as it does very important political and public considerations of at least ten years' duration, centers around the Hopkins bill and the Burleigh bill, the one providing a House of 357 members and the other a House of 386. There was a very interesting prelude in the resolution introduced last week by the gentleman from Pennsylvania [Mr. OLMSTED] in which, like King Philip of old, he marched up the hill and down again, accompanied in his grand march by the solid vote of that side of the House, one of whom was the distinguished chairman of this committee, accomplishing finally the result which might as easily have been attained by simply depositing his resolution on the desk of the House, which in due course would have been referred to the proper committee, as was ultimately done. That is followed by the discussion of the gentleman from Indiana [Mr. CRUMPACKER], in which he makes a very able argument upon his incongruous, imperfect, wild, and fantastic bill, supported by a very lengthy report, in which he seeks to cut down the representation of four States—South Carolina, Mississippi, North Carolina, and Louisiana—to the extent of about 40 per cent of their present representation. Of course we all understand that it is mere brutum fulmen. That is the last this Congress will ever hear of it, except perhaps some

formal vote at the end of these proceedings.

The real issue, and to that I shall chiefly direct my attention, is whether the Hopkins bill or the Burleigh bill, either or both of them, with or without amendment, shall be adopted by this House

and this Congress

Now, I shall not ascribe improper motives to the chairman of this committee. Ascriptions of that sort may be made with greater ease than justice. I accord to him the same candor, earnestness, and fairness that I claim myself. He, with a majority of the committee with him, adopts the number 357, because,

in his good judgment, that is the number which he desires above all others to be adopted by this House. The gentleman has managed his side of this question with the very great ability, tact, and skill for which he is already renowned. He has associated with him, as a bulwark behind which he presents his case, the titanic He uses him as his authority, and asks this House to swallow, cap, boots, and all, his number 357, because, forsooth, if Webster were here he would do the same thing. Now, my friend, in all sincerity, of course, is simply hoodooing this House, as I shall show you beyond all question by the figures I shall present.

I shall show that he has not followed Webster, that he has departed from Webster, and that the only thing in the world he has followed is, blindly, the tracks of the Congress that adopted the eleventh apportionment, ten years ago. If that Congress had said that this House should be composed of 400 members, my friend, with the same logic, with the same argument, with the same consistency, would have favored 400 now. If that Congress had said 350, why 350 would be his number to-day. Three hundred and fifty-seven is his Dulcinea; he levels his guns at every other number that would dare to compete with it. It is his pet number, the present number of the House, and he makes the fig-

number, the present number of the House, and he makes the figures to suit it, as I shall show you. [Laughter.]

Now, I want to tell this side of the House that 357 has been adopted by the majority of this committee, led by the chairman, notwithstanding its effect is most unfairly, most unjustly, and in violation of every precedent of every apportionment that has ever been adopted in this country to summarily rob three States of a member to which each is entitled under the very system or process which he estensibly applies.

ess which he ostensibly applies.

Why does not he select 360 instead of 357? "Oh," he says, "that would disturb the beauty, the symmetry, the perfection of my process, which is based on 357." Why is 357 necessary? The answer is that 357 is the present number of the House, and that we have a large enough body already. The whole argument, then, is based upon the present membership of the House and the gentleman's unwillingness, his stubborn refusal, to adopt any other number than 357. Has that number any special charm? Is there any special reason for adopting it? Is there anything wreathed about 357 that commends it to his mind above every other number in the long list of tables? There can not be, unless it be that it is the present number of the House, and he would not deny this the other day when I put the question to him squarely.

I have stated that the gentleman does not follow his number consistently; and I am going to prove it. There are two systems, one of which must always obtain in this matter of apportionment. One of these is the system by which you adopt a fixed ratio-say 30,000 or 52,000 or 150,000, or whatever it may be; and the respective States receive their apportionment of members in accordance with the quotients arising from such divisor. That system obtained until 1830—until the Sixth Census. Then there was quite a dispute between the committee of the House on the one hand and the committee of the Senate on the other, Mr. Polk and Mr. Webster leading the respective sides. Mr. Polk contended that the old system should obtain, by which you would adopt a fixed ratio and allow the number of Representatives to be dependent upon the quotient which might arise in each case from the application of the divisor, disregarding or eliminating fractions.

Mr. Webster in his able report, a part of which I shall read in a

moment, contended that the number of the House should first be fixed and then the apportionment by population be determined by that divisor. Under the Fifth Census the Polk system or process prevailed; but under the Sixth Census the Webster process was adopted, with a variation. That variation was that a State which had a majority fraction should be allowed representation upon that fraction. Ever since 1840 we have adopted in this country the Webster process, by which we first determine upon a fixed number of Representatives as the divisor. This system has been followed, with the variation whenever necessary. For instance, whenever there has been a majority fraction remaining, that majority fraction has always been treated as entitling the State to a Representative. My friend from Illinois in framing this bill has not followed the Polk process, because that disregards all fractions; and he does not follow the Webster process, because under that process majority fractions are always recognized. bill of the committee we have the first departure from the estab-

Now let me read what Mr. Webster says, and gentlemen will see that the bill of the gentleman from Illinois does not follow that system. This part of Mr. Webster's report which I shall read is in some unaccountable way left out of the citations which you will find in the report of the majority of the committee:

The rule has been frequently stated. It may be clearly expressed in either of two ways. Let the rule be that the whole number of the proposed House shall be apportioned among the several States on their respective numbers, giving to each State that number of members which comes nearest to her exact mathematical part or proportion.

That is the new method, the method which Mr. Webster recom-

mended, with variations.

Now, here is the composite method to which I shall call the attention of the House in reference to some tables which I shall

Or let the rule be that the population of each State shall be divided by a common divisor, and that in addition to the number of members resulting from the division a member shall be allowed to each State whose fraction exceeds a moiety of the division.

That is the rule which, if adopted, would give these three States an additional member. That is the rule which is invoked by the table of 384 presented by the Burleigh report. Mr. Webster goes on to say:

Either of these, it seems to the committee, is a just and fair rule capable of uniform application and operating with entire impartiality. There is no want of a common proportion or of a common divisor. There is nothing left to arbitrary discretion. If the rule in either of these forms be adopted, it will never be doubtful how every member of any proposed number for a House of Representatives ought to be assigned. Nothing will be left in the discretion of Congress. The right of each State will be a mathematical right easily ascertained, about which there can be neither doubt nor difficulty, and in the application of the rule there will be no room for preference, partiality, or injustice.

Now, let us follow Webster. That is all we ask—let us follow the rule laid down by Webster, and which has been followed ever since with the variations which that rule permits. My friend from Illinois—and I ask him to correct me if I am in error—when he adopts the number 357 deprives these three small States of representation, although they have majority fractions. He says that he does this because if we should allow them representation by majority fractions it will necessitate the adoption of a new table and the allowance of majority fractions for other States. But why follow that table at all? Why does he not follow Table 4? I call his attention to page 101 of the report. His ratio is 208,858—only 142 short of the round number 290,000.

Now this Table 4 has been printed for the information of every member of the House, yet the chairman of this committee has not referred to it once. He has disregarded entirely the old system, and while he follows parts of the new system he rejects others. He asks this House to follow him blindly. He ridicules the majorities of these three States by showing how possibly this rule might give Maine a little more than she is entitled to, because her

majority fraction is small.

Suppose he had started out, not with 357 Representatives, but with 209,000 as the ratio, what would have been the result? Every one of these States that are included in his bill would have received the representation that they do receive by his bill, and in addition thereto Colorado, Florida, and North Dakota would have received one member each. It is an illustration of the difference between the old system and the new system. The one system works fairly, by which there is not a single majority fraction left over, as Webster said should be the case, while the other gives us only 357 members, and three majority fraction States are left out. The gentleman objects to a membership of 360. Why? Because if he does allow those three members to be added, that will break up the symmetry of his process. That is his reason.

He says you can not add anything to it because it would make

350 instead of 357, and then he says you will have to start all over again-with 360 as the divisor and create an entirely new table. He is wedded to 357 and you can not get him away from it, whereas if he had taken the other set of tables, if he had taken Table 4, on page 101, by simply making the divisor 209,000 even instead of his number—208,868—every State in the Union with a majority fraction would have received representation. My friend can not answer that. The figures are there and the effect of that jugglery of figures is to deprive these three States of their proper representation. The gentleman's only justification of it is that that is the process he started on and he wants us to swallow his

Now, what about the bill of the gentleman from Maine [Mr. Burleigh]? It is constructed strictly in accordance with Table 4, with the exception that Iowa is not allowed one member that she is entitled to. The proper number is 387 and not 386. The original Burleigh bill was correct. In committee it was reduced to 386, and Iowa in consequence lost one member. Now, how was that reduction made? Simply because Webster's first process was followed by Mr. Burleigh instead of his second.

If my friend from Iowa [Mr. LACEY] will look at page 107 of the report he will see that by adopting 194,000 as a divisor, Iowa will have one more member, the number of members reported as shown in the bill originally introduced by the gentleman from Maine [Mr. Burleigh]. That is under the fair process by which every majority fraction in every State is allowed representation. The reason Iowa does not get that additional member is that the minority of the committee attempted to follow the first process, and as a result the majority fraction did not save Iowa. hundred and eighty-four was the number they started with. They added two for Virginia and Nebraska and left Iowa out. But if you start with a fixed number of population instead of a

fixed number of members as a divisor, it is impossible for a major fraction to be left out, and that is the system that ought to obtain in this Congress and in other Congresses hereafter in fram-

ing apportionment bills.

Page 107 of the report shows that with 194,000 Iowa gains one.

Under the Burleigh bill Iowa does not gain one, simply for the reason that the new process is adhered to with variations by the gentleman from Maine [Mr. Burleigh]; whereas if the old process had been adhered to, with "majority fractions" variation, Iowa would have gotten her just deserts, or if she lost one member my friend could not complain. Simply by adopting that method Iowa would get her full quota as indicated in the original

Burleigh bill.

Now, the difference between the Burleigh bill and the Hopkins bill in their operation is this: In the Hopkins bill no allowance is made for major fractions in three States, because, as the gentleman says, the residuum of 22 is exhausted before these three States are reached, there being 25 States with majority fractions. Under the Burleigh application of the same system every State with a major fraction is accorded representation by simply adding to the original number with which he started. Both those applications are wrong because the system is wrong, inasmuch as it necessarily involves the deprivation of some of the States of representation for major fractions. The proper system, indicated in Table 4, the adoption of which will secure almost the same ratio of population, does not deprive any State of representation for a majority fraction, and that is the same principle which Mr. Webster said ought to be adopted by Congress

So it strikes me that the number 357, advocated by the gentleman from Illinois [Mr. Hopkins], chairman of the Committee on the Census, should not be adopted by this House. It deprives three States of representation. By any other process in the world except by the Hopkins process they will not be deprived of this membership. The gentleman has adhered neither to the old system or the new. He has not adhered to any precedent or any apportionment that has ever been adopted in this country. The RECORD will sustain me in that statement, and the gentleman can not say to the contrary. Then why should we follow him blindly when his only contrary. Then why should we follow him blindly when his only reason is that it is the present number of this House, notwithstanding the fact that it admittedly deprives States of their just rep-

resentation?

If the people of the United States are to be represented in this If the people of the United States are to be represented in this their Government, they can nowhere be so directly represented as in the House of Representatives. The burden of the National Government far exceeds that of the State. In one year there is paid into the National Treasury by the people of a State more than their own State, county, and city treasurers collect from them in twenty years. They have the right to keep close to Washington and to closely guard legislation there enacted and government there administered. The House has always kept pace with the growth of the country, in its membership, by every apportionment except one, that of 1842, in which it was reduced by Senate amendment.

Ten years ago it was fixed at 356, the population being 62,622,250. The country has grown to 74,565,906 of representative population, an increase of nearly 12,000,000. Then there were 356 Representatives to 88 Senators, about 4 to 1. According to Mr. HOPKINS'S bill, with Arizona and Oklahoma yet to be admitted, the ratio will stand 360 to 94, or 16 short of 4 to 1. By his bill the States of Indiana Worsen Workers Weine Nebroko Obio Scatt Come Indiana, Kansas, Kentucky, Maine, Nebraska, Ohio. South Carolina, and Virginia each lose one of their present number, notwithstanding the increase of population in those 8 States during the past decade is over 1,500,000. That reverses the policy of Congress in the eleventh apportionment, when this was the plan adopted by the committee.

Trials were made until a number was found that would give a ratio which in application would secure each State against any loss in its membership and in no instance leave a majority. This number was found to be 356.

The present bill proposes to blindly adopt the conditions which existed ten years ago, notwithstanding the effect is to vitally injure eight sovereign States—a result which that Congress deliberately and specifically refused to accomplish.

The time has not yet come to call a halt in the size of the House. We do not need another Senate. If a member feels too much crowded and jostled here, he may ask his State to relieve him by sending him there. We are not in each other's way. Except on very rare occasions there are dozens of empty chairs. Debates are conducted by leaders and assistant leaders, and recognition is not such a matter of right as to occasion tumult in its being sought. Chairmen of committees, one after another, have charge of the proceedings, with space visible everywhere. Add 29 members to our number and there will be no appreciable addition to occupied chairs, and vacant ones will, except on few occasions and for brief periods, always be found waiting for and welcoming occupants.

It is needless to enlarge upon this universally admitted condi-tion. But we are seriously told that the cost of Congress will to

that extent be increased. This session of Congress will, if the Senate confirms what you have passed, appropriate for 100,000 soldiers. Thirty additional members of the House will be of less cost and expense than 150 of these soldiers! The constitutional monarchies of Europe accord to their people a fuller representation in their levels according to the representation. tion in their legislative assemblies than does Congress to the citizens of this Republic, whose distinctive characteristic and proud privilege is that they are the source of all power, all legislation, and all government.

England's House of Commons consists of 670 members, although her population is only 37,888,439. Germany, with 52,279,901 people, has a Reichstag of 397. The Italian Chamber of Deputies is composed of 508, for a population of 29,699,785. The Spanish Cortes has 431, while Spain's population is 17,550,216. The Republic of France is far more generous to its people than the United States is to its citizens, its population of 38,517,975 being represented by 584 deputies, or 1 to every 65,955 of the population; whereas even with 386 members of Congress, each member with us will represent 194,182 people.

The sovereign voters of the United States should be as directly represented as possible in their government of themselves. The larger the territory and the greater the population of a district, the farther is each person in it from personal representation. Their interests are each year becoming larger and more varied, as evidenced by the vast appropriation bills and the items compos-England's House of Commons consists of 670 members, although

evidenced by the vast appropriation bills and the items composing them, and the ever-increasing mass of the subjects of legislation and bills introduced. The work of their Representatives is not confined to these walls, but ramifies all of the departments, and all during the year, even when Congress is not in session, as most

of us can certify.

Now, gentlemen, I want to talk to this side of the House about another matter. It has been industriously worked upon you that the effect of the adoption of the Hopkins bill will be to save the political integrity of both parties as it now exists, and my friend, the gentleman from Illinois [Mr. HOPKINS], and others have tried to instill into the minds of members on this side of the House, with to instill into the minds of members of this side of the House, with tears in their voices, the fact that if we should adopt the Burleigh bill here the inevitable result would be to give a Republican gain of 10 members. Now, gentlemen, just think about it for two seconds and a half. The argument that the gentleman brings to bear upon you is that if you do not save the Democratic party from the Burleigh bill the Republicans will gain 10 members of this House. He did it seriously and half expected you to keep your faces straight in listening to his argument. Just think of it, and the results of it and the results of it—

Mr. KLUTTZ. Has not the same argument been used on the other side to whip them into line for the Burleigh bill?

Mr. WILSON of South Carolina. That is a correct argument,

Mr. WILSON of South Carolina. That is a correct argument, as I am going to show you.

Mr. KLUTTZ. They will gain 10.

Mr. WILSON of South Carolina. Not by the Burleigh bill. I do not think that political considerations should control in this matter, but if there is any salvation that is ever going to come to the Democratic party it must come through the Burleigh bill and not through the Hopkins bill. Why, under the Hopkins bill two of our doubtful States are at the outset openly and unblushingly deprived of 1 member, when each is entitled to 1. Under the Burleigh bill here is our standing. The Republicans gain 21 and lose 1. Their net gain is 20. The Democrats gain 10 and lose none, a net Republican gain of 10. Now, what do they include in there? They include New York, New Jersey, Connecticut, West Virginia, and Indiana. There is not an intelligent Democrat in the United States under the light of existing conditions that does not know that the only chance the Democracy has to win in this not know that the only chance the Democracy has to win in this country is by carrying those States, and unless we do carry those States, or most of them, we can do nothing.

Mr. KLUTTZ. Will the gentleman permit me to interrupt him

Mr. WILSON of South Carolina. Certainly.
Mr. KLUTTZ. I ask the gentleman if, under the Hopkins bill,
the political situation does not remain as it is? Is not that the
fact?

Mr. WILSON of South Carolina. I say if the Republicans carry those States the Republicans will have a majority of 10; and if the Democrats carry those States the Democrats will have a I say if the Republicans

if the Democrats carry those States the Democrats will have a majority of 8—a gain of 8.

Mr. KLUTTZ. Which is the more likely to carry them?

Mr. WILSON of South Carolina. So I say, accepting the surrounding conditions in these States, shall we risk nothing with reference to them? Till we do carry them, or most of them, there will not be a President inaugurated by the Democratic party.

Mr. LACEY. I would like to ask the gentleman a question. The SPEAKER pro tempore. Does the gentleman yield.

Mr. WILSON of South Carolina. Certainly.

Mr. LACEY. I understand you to assume that if the Democrats carry those States certain results will follow?

Mr. WILSON of South Carolina. Certainly.

Mr. LACEY. How do you get at that result? Do you assume that all the States south of Mason and Dixon's line will continue

to be Democratic?

Mr. WILSON of South Carolina. I am not considering any of the other States one way or the other. I am simply discussing those States. If these States go Republican, then it will be 10 more for their majority, and if the Democrats gain those States they will gain 8 more for the aggregate of their majority. Do you not see the situation? Why should they bring this political argument to bear in this House to scare us away from our duty when we know that the only salvation of the Democratic party is in those very States, and we are therefore perfectly willing to make those States' representation as large as possible.

Mr. RICHARDSON of Alabama. I wish to ask the gentleman if he would discuss this feature of the bill relating to the districts, and the use of the word "compact?"

Mr. WILSON of South Carolina. I will come to that after

Mr. RICHARDSON of Alabama. I see in the Hopkins bill there is an amendment.
Mr. WILSON of South Carolina. You mean by the addition of

the word "compact?" Mr. RICHARDSON of Alabama. The word heretofore used has been "contiguous." It has been changed by the addition of the word "compact;" and I should like to hear what the gentleman has to say in discussing that.

Mr. WILSON of South Carolina. I will discuss that matter

later on.

Mr. RICHARDSON of Alabama. The Hopkins bill and the Burleigh bill both contain that, and the Crumpacker bill is the only one that leaves the word "compact" out. I would like to hear the gentleman discuss the use of the word "compact" in these two bills.

Mr. WILSON of South Carolina. I will discuss it, but I only have an hour, and there are other matters that I must first direct

Mr. RICHARDSON of Tennessee. If the gentleman from South Carolina will permit me, and I know he is much more familiar with the bill than I am, I understood him to say that there are 8 States in the Hopkins bill that will lose 1 member each if it is adopted. Now, is it not feasible and practicable to pass this bill fixing the number at 357 and insert a proviso that these 8 States which would leave their members as as to relate the

nxing the number at 357 and insert a proviso that these 8 States which would lose shall have their members, so as to make the House 365 members? Is not that practical and constitutional?

Mr. WILSON of South Carolina. It is practical and constitutional, that everybody knows; but—

Mr. RICHARDSON of Tennessee. Why not make it that way?

Mr. WILSON of South Carolina. It was done in 1872, under the Webster process "with variation," but while Mr. HOPKINS adopts the Webster process he refuses to adopt it "with variation."

Mr. RICHARDSON of Tennessee. That would satisfy the gen-

Mr. RICHARDSON of Tennessee. That would satisfy the gentleman, would it not?

Mr. WILSON of South Carolina. So far as the result is concerned; but I do not think the principle would be right. I think the correct principle is by Table No. 4, which is what was done from the beginning of the Government to 1842. Adopt a fixed number of population, and let the number of Representatives be determined in the quotient, allowing an additional member for each major fraction in a remainder. That is the only sensible and rational way. I think of determining the matter. It is the old (or rational way, I think, of determining the matter. It is the old (or Polk) process adapted to the Webster suggestion that recognition be given to major fractions in remainders.

Mr. HEPBURN. I would like to interrupt the gentleman with

be given to major fractions in remainders.

Mr. HEPBURN. I would like to interrupt the gentleman with a question, if he pleases.

Mr. WILSON of South Carolina. With pleasure.

Mr. HEPBURN. I understand the gentleman to make an argument in favor of the Burleigh bill, because it gives to States that were carried by the Republican party in the last election an advantage of 7. Now I suggest to him that if his argument is good, and if he is going to be generous to us, he ought to go further and adopt 398 as the number, because under that apportionment the Republicans—that is, the States that went Republican in the last election—would gain 28, while the States that went Democratic would gain 13, giving us a clear advantage of 15. Now, if he is going to be generous, why not go on up to that number and give us what we think we ought to have?

Mr. WILSON of South Carolina. The gentleman is in error in stating that my argument on the political line was in the interest of the Democratic party. It was in reply to an argument assiduously propagated on this side of the House by leaders of your side of the House who were afraid that we were going to give the Republican party too much. I say we do not adopt 398 because it is not necessary in order to save every State to go beyond 386. That is the reason we adopted 386 as the least number possible.

Now if you follow the course pursued in this country up to

Now, if you follow the course pursued in this country up to

you will do it. If you adopt the course that has been pursued by this country since 1842 you will do it. The only exception, the only milestone of the century by which unfairness will be dealt to any State in the Union by an apportionment bill, will be by the adoption of the Hopkins bill.

Never before in the history of this country since fractions were recognized has a single State been deprived of a majority fraction,

and even in the last apportionment the change of one vote in the Senate would have increased the membership from 356 to 359. If there had been one Senator of a different mind over there the present representation in this Congress would be 359 plus Utah, which would make 360; and my friend from Illinois would be here to-day advocating 360.

Mr. JONES of Virginia. Let me suggest to the gentleman that Mr. Webster says in his report that it would be unconstitutional

to deny a State a representative from a majority fraction.

Mr. WILSON of South Carolina. Yes; I have read that. members will stop to think for two and a half minutes and look over table 4, they will see the outrage that is sought to be perpetrated by this Hopkins bill.

Mr. SMITH of Kentucky. Will the gentleman allow me a ques-

Mr. WILSON of South Carolina. Certainly.
Mr. SMITH of Kentucky. Do I understand that you are advocating the proposition involved in the minority report?
Mr. WILSON of South Carolina. Yes.
Mr. SMITH of Kentucky. If I understand that proposition, it proceeds on the same basis as the majority report proceeds upon.
Mr. WILSON of South Carolina. Except that the majority fractions are allowed, while the Hopkins bill does not allow all majority fractions.

majority fractions.

Mr. SMITH of Kentucky. It seems to me the majority and minority have started out by taking a number arbitrarily, instead of fixing the population that one man can fairly represent in the

House.

Mr. WILSON of South Carolina. That is the argument I made at the outset. The old method, with the "majority fraction variation," is the correct method, and it will be secured if we will take ation," is the correct method, and it will be secured if we will take 387, because if you will look at page 107 of this pamphlet you will find that the number I mention, 194,000, will give the precise figures in the Burleigh bill as originally introduced. The difference between the Burleigh bill as introduced and reported is that Iowa is not allowed 1 additional Representative. That makes the difference between 387 and 386, and that difference was caused by adopting the new method instead of the old, which should have been adopted with the Webster majority fraction variation, suggested by Mr. Webster in his report of 1832.

Mr. LACEY. Why did they adopt the new method?

Mr. WILSON of South Carolina. Well, the gentleman from Maine [Mr. Burleigh] can state that; because he wanted to pro-

ceed with his bill on the same principle as adopted in the Hopkins

Mr. LACEY. Was not it because the Iowa delegation was against the increase of the membership of the House? [Laughter.]
Mr. WILSON of South Carolina. No; we ought to have found out first how the Iowa delegation stood, but we neglected to do

[Laughter.] Now, Mr. Speaker, that is all I wish to say

upon that subject.

THE NEGRO AND HIS VOTE.

I want now to talk to the gentleman from Indiana [Mr. CRUM-PACKER] a while. I can not make an argument in full, as I intended, for I have not the time, and I shall thereby be prevented from elaborating the subject as I should wish; but I shall cite him to decisions of the Supreme Court of this country by which he will understand that his ridiculous bill can not for a moment be entained by that tribung!

sustained by that tribunal.

His bill accords to every State its full number of Representatives except South Carolina, North Carolina, Mississippi, and Louisiana, and from each of these four Southern States he takes three Representatives, his reason for such arbitrary proceeding being that each of these States has denied the right of suffrage to at least 40 per cent of its inhabitants, and consequently its representation must, under the second clause of the fourteenth amend-

ment to the Constitution, be reduced to that extent.

That clause provides that when the right to vote at any election for Representatives in Congress, etc., is denied to any male inhabitants of a State 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of Congressional representation therein shall be reduced in proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

years of age in such state.

The right to vote does not come from the United States, but from the State. The United States Constitution nowhere confers that right. That is explicitly decided in Minor vs. Happersett (21 Wall., 166) and United States vs. Reese (92 U. S., 215).

The fifteenth amendment, which declares that the right of citi-

zens of the United States to vote shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude, does not confer the right to vote. Its only meaning, purpose, and effect was this: Before its adoption preference in suffrage could be given by a State to one race over another; a State could have entirely disfranchised the negro. But now, since its adoption, if citizens of one race having certain qualifications are permitted to vote, those of another having the same qualifications must be. The right to vote, therefore, comes from the State, but the fifteenth amendment forbids any discrimination on account of race. So says United States vs. Cruikshank (92 U.S., 544).

The fourteenth amendment did not change the relations of the State and Federal governments, as held In re Kemmler (136 U.S., 436). It did not attempt to confer the right of suffrage upon the negro, but citizenship only, which does not include the right to vote. A woman is a United States citizen, but can not vote. That amendment simply tried to force the States to accord suf-That amendment simply tried to force the States to accord suffrage to the negro by imposing the penalty of loss of representation in Congress, which I have already stated as the second clause. But unfortunately for the bill of the gentleman from Indiana, Congress did not rest content with the fourteenth amendment, but followed it up with the fifteenth, which declared it to be out of the power of a State to disfranchise the negro as such—the very thing which the fourteenth amendment declares shall cut down the State's representation.

declares shall cut down the State's representation. The only thing, therefore, which can reduce a State's number of Representatives is declared by the fifteenth to be an impossible thing; and the gentleman is left high and dry by the last amendment of the Constitution. One of the ablest Republicans this country has produced, Mr. Blaine, concedes this when he writes:

When the fifteenth amendment declared that the State shall not exclude the negro from the right of suffrage, it neutralized and surrendered the contingent right before held to exclude him from the basis of apportionment. Congress is thus plainly deprived by the fifteenth amendment of certain powers over representation in the South which it previously possessed under the provisions of the fourteenth amendment.

No one has ever denied that the fourteenth amendment was aimed exclusively at the South, and, that no one may ever ignorantly do so upon this floor, I shall state a few features of the leg-

islation which led to it.
On January 22, 1866, the reconstruction committee of the House reported this amendment to the Constitution:

Representations and direct taxes shall be apportioned among the several States which may be included within this Union according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed: *Provided*, That whenever the elective franchise shall be denied or abridged in any State on account of race or color, all persons of such race or color shall be excluded from the basis of representation.

Mr. Blaine contended that if any class was excluded from rep-

resentation it should also be excluded from taxation.

Sloan, of Washington, spoke for a basis of voters.

John Baker drew attention to the fact that the proposed amendment leaves any State the right to narrow the suffrage as she pleases, so long as she steers clear of the test of race or color.

Ingersoll offered an amendment prohibiting any State from pre-

scribing a property qualification.

Jenckes opposed that amendment as needlessly abridging the power of States.

Schenck's amendment based apportionment upon the number of male citizens who are voters. It received but 29 votes. The resolution was recommitted, and the committee reported a changed

Provided, That whenever the elective franchise shall be denied or abtidged in any State on account of race or color, the persons therein of such race or color shall be excluded from the basis of representation.

It carried by 120 to 46. It was killed in the Senate.

While in that body Senator Henderson offered this amendment: No State in prescribing the qualifications requisite for electors therein shall discriminate against any person on account of color or race.

It received but 10 votes. In April, 1866, the House passed and June 13 the Senate approved (with an amendment in which the House concurred) the resolution. Senator Doolittle offered an amendment making "voters" the

Senator Doolittle offered an amendment making "voters" the basis of representation. It received but 7 votes.

The distinguished gentleman will observe that thirty-four years ago the effort now made by him was essayed by Representative Schenck and by Senator Doolittle with as little success as will attend his bill. There is but one way to accomplish his desire to make registration of voters the basis of representation, and that is by the adoption of a sixteenth amendment to the Constitution. But that would be disastrous to Massachusetts, one-fourth of whose population can not vote because of her educational qualifications; Connecticut, California, Delaware, Maine, New York, and other States, whose laws practically disfranchise the illiterate. All States would be measured by the same standard, and the four Southern States would not stand alone as subjects of his political pruning knife.

His bill is the Rip Van Winkle of the reconstruction era. a misfit with this generation and these piping times of alleged good will and fraternity between the sections. Such action is out of accord with the sounds of jubilation over a reunited country which constantly regale our ears. Our people would much prefer less protestations of kindliness if accompanied with less unfriendly attacks upon their peace, safety, and prosperity. We have no apology to make for ridding ourselves of a voting

population which was never legally invested with the right to vote. In clothing the negro with suffrage the Federal bayonet took the place of the Constitution. The history of reconstruction speaks for itself and removes the subject from disputation. Neither Lincoln nor Johnson intended to inflict upon the South

unrestricted negro suffrage.

President Lincoln wrote to Governor Hahn, of Louisiana, March

Now, you are about to have a convention which, among other things, will probably define the elective franchise. I barely suggest for your private consideration whether some of the colored people may not be let in, as, for instance, the very intelligent, and especially those who fought gallantly in

In reconstructing the eleven State governments in 1865 President Johnson sent a circular letter to the provisional governors suggesting that the elective franchise be extended to all colored men "who can read the Constitution of the United States and write their names, and also to those who own and pay taxes on real estate valued at not less than \$250."

The very able and radical Senator Fessenden said in the debate on the Freedmen's Bureau bill:

on the Freedmen's Bureau bill:

I take it that no one contends—I think that the honorable Senator from Massachusetts himself [Mr. Sumner], who is the greatest champion of universal suffrage, would hardly contend—that now, at this time, the whole of the population of the recent slave States is fit to be admitted to the exercise of the right of suffrage. I presume no man who looks at the question dispassionately and calmly could contend that the great mass of those who were recently slaves (undoubtedly there may be exceptions), and who have been kept in ignorance all their lives, oppressed or more or less forbidden to acquire information, are fitted at this stage to exercise the right of suffrage, or could be trusted to do it unless under such good advice as those better informed might be prepared to give them.

Nevertheless the passions of the very succeeding the growteres.

Nevertheless, the passions of the year succeeding the war forced upon us by Congress that condition which Fessenden said no one would even contend for. The reconstruction constitutions were adopted under the military governors by negroes and aliens; not by the citizens of the States. The States had not made voters of the recently emancipated slaves, nor had the United States made citizens of them, as the fourteenth amendment had not then been

adopted.

Our negro and carpetbag constitutions were erected under the initiative of the reconstruction act of 1867, which imposed military governments upon the Southern States, which were to supcivil government unless and until they should adopt constitution and the fourteenth amendment, also guarantee universal suffrage, the convention therefor to be elected by all men over 21—whether citizens or not—except the white citizens of the State, the election to be supervised by military officers and the State, the election to be supervised by military officers and the registration to be conducted under military officers; the constitution so made to be submitted to the same illegal and farcical voters for ratification, then reported to Congress for approval; and then and not till then were the States to have Representatives in Congress. In passing, I may add, that same revolutionary Thirty-ninth Congress passed the revolutionary tenure of office act, upsetting the established practice since the foundation of the Government. It defied all restraints.

When the 10 States came with their new constitutions so un-

Government. It defied all restraints.

When the 10 States came with their new constitutions so unconstitutionally forced upon them this condition was imposed and

nominally attached to their admission:

That the constitution of the State shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote who are entitled to vote by the constitution herein recognized, except as a punishment for such crimes as are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said State.

That act was as sounding brass. Texas vs. White (7 Wallace) decides that the Confederate States were never out of the Union. So they could not be "conditionally readmitted."

Blaine says in that connection:

The Republican platform (1868) asserted that the guaranty of suffrage to the loyal men of the South must be maintained, but that the question of suffrage in the loyal States belonged to the States themselves. It was an evasion; a mere stroke of expediency to escape the prejudices which negro suffrage would encounter in a majority of the loyal States. It was a deception, because every intelligent man knew that it would be impossible to force negro suffrage on the Southern States by national authority and leave the Northern States free to exclude it from their own domain.

The Republican majority in Congress were so well satisfied that the war had not carried the 11 States out of the Union, that they insisted that the fourteenth amendment should be ratified by three-fourths of all the States.

Later on, while the civil rights bill was passing, on motion of Wilson of Iowa, this amendment was unanimously adopted:

Nothing in this act shall be so construed as to affect the laws of any State concerning the right of suffrage (p. 175).

Moreover, the same Congress which imposed negro suffrage as a condition for the alleged "readmission" of the Southern States, admitted Colorado and Nebraska, notwithstanding their consti-

tutions prohibited negro suffrage.

tutions prohibited negro suffrage.

While those frantic, and unfortunately successful, efforts were being made by Congress to fasten negro domination upon the South, States of the North serenely excluded the negro from suffrage: Connecticut in 1865, by 6,000 majority: Kansas in 1867, by 9,000; Minnesota, by 1,000; Ohio, by 50,000; New York, by 40,000. Nevada, Colorado, Nebraska, and Wisconsin swell the list.

The only criticism that can justly be made of us is that we so long endured the outrage perpetrated upon us and delayed resuming control of our governments by the intelligence and white manhood of the States, so forcibly and unconstitutionally wrested from them. So much, Mr. Speaker, for the charge of disfranchisement. I will simply say in addition, without going into details, that any man of ordinary intelligence in the South can qualify himself to vote, just as he can in Massachusetts or California.

The gentleman from Indiana seems very solicitous about the

The gentleman from Indiana seems very solicitous about the welfare of the negro in the South. I want to tell him and other members from the West that in New England and the Northern States, whose people have been brought into contact with the South by business intercourse and otherwise, there is an entirely different impression concerning the condition of the negro from that which prevails in some of the Western States. Out West people have the impression that the negro is oppressed, robbed, outrageously and brutally treated. The trouble is they do not know. They simply stay at home and do not enjoy proper facilities of business and other acquaintance with the South.

If they should once develop business relations with us; if they If they should once develop business relations with us; if they would send some of their men there and see what the existing conditions are; if they would see the amicable relations existing between the two races; if they would see how the South is prospering and taking the negro along up with it, they would have their eyes opened—the scales removed. There you have the great pension vote, and that vote is always cast against the South. Those voters still have the idea that they are emancipating the negro. It is, I imagine, a favorite pastime with you on the stump out West to abuse the South for her supposed treatment of the negro. Well, it does not hurt us. We are paying no attention to it; we are going ahead vigorously; we are devoting our time and attention to the development of our country, and astonishing and attention to the development of our country, and astonishing the world by our tremendous advance in wealth and prosperity. You people out West who wish to abuse the South for political purposes may continue to do so to your hearts' content and make as many votes as you may by that proceeding. We shall not prevent it; we are too busy and life is too short.

A consideration more important than the control and eliminative that the control and eliminative the control and eliminative that the control and eliminative the control and eliminative the control

tion of the negro vote is, that the Southern people should enjoy security and peace and prosperity in their homes. We would not allow the suffrage question or anything else to stand in the way of the safety of our people and honest government. For eight long years we had a trial of negro domination under carpetbag leadership, and I want to give you some statistics of that reign of

in South Carolina prior to 1868 the average tax collections amounted to \$400,000 per annum. During those years of negro government the average was \$1,270,000. There were fraudulently issued (and the proceeds converted to the personal use of those who had political control) bonds to the extent of \$9,000,000. The State was robbed of that much money. The annual revenues were consumed in the bribery of members and senators, purchases for their use of furniture, supplies, and wine—keeping an open restaurant in the capitol day and night, and larceny by public officers. A public printing company was organized, composed of the clerk of the senate, the clerk of the house, and the comptroller-general. There was paid to this company for public printing during one year \$450,000. Before that period the average was \$21,000. The governor received \$20,000 for his signature to one of the appropriation bills. The general assembly had 349 clerks, 124 pages, and 144 messengers. In one session there were issued in pay certificates \$1.163.25% and 144 messengers. In one session there were issued in pay certificates \$1,168,255.

tificates \$1,168,255.

These figures will give you an idea of what negro government (which you are contending for here) did for our State. One of the senators—Senator Leslie—said, "A State has no right to be a State unless she can pay and take care of her statesmen." That was the theory on which they acted. One of the United States Senators said that "there was in South Carolina five more years of good stealing." Out of 17 negro senators 14 were proven corrupt by an investigating commission.

Now, I want to tell you how the negro is treated in the North. Let me say to my friend from Indiana that one of the leading negroes of the South—Booker Washington—knows more about the negro than he does. What does Booker Washington say? I read from his remarks before the industrial convention:

It is in the South that the black man finds an open sesame in labor, industry, and business that is not surpassed anywhere. It is here that that form

of slavery which prevents a man from selling his labor to whom he pleases, on account of his color, is almost unknown—that compels him to live in idleness while his family starves.

The South gives him something more merciful than sentiment—the opportunity to earn his bread. He can spend his dollar with fairest opportunity in the opera at the North; he can earn it with fairest opportunity at the South. He is excluded by the labor unions of the North.

That is what Booker Washington thinks about the negro in the South and in the North. Now, let me give you some facts in regard to our treatment of the negro in the South. The South evolved him from barbarism. It required slavery to do it. The North, aided by Europe, emancipated him; and now the South is bringing him up along with it. As the South grows industriously—as it grows in wealth and education—the negro is being carried along. He is not allowed to control the government, because he has been shown to be utterly unfit for it. He is protected in all his dearest rights except the right of voting, and

protected in all his dearest rights except the right of voting, and he does not care to vote.

Why, sir, to-day every negro in South Carolina who can read and write may, if he chooses, go to one of the registration offices of the State and become a registered voter. Fifty thousand of them can do so if they wish. But you can not get them to do it. Why? Because they would rather save the dollar which would be required as poll tax. They know that they can not carry the elections. They know that nothing can be gained by their votes, except to fatten their leaders with Federal patronage. Nearly all of them belong to the "Emancipation party," and always will, I suppose. They know that the intelligence of the State is going to control. The know that if they vote the white people are going suppose. They know that the intelligence of the State is going to control. The know that if they vote the white people are going to stand together solidly, and I tell gentlemen on the other side that if there is anything in the world that is going to break up the solidity of the South it is what you term "depriving the negro of the right of suffrage."

For that reason I want a reasonable number of the negroes, short of a majority, to register. It is the best thing for South Carolina; it will be the best thing for the other Southern States, because there are, as all the newspapers show, signs of disintegration among the Democracy of the South. Various planks in the platform of the Republican party and other considerations are enticing Democrats away from the faith of generations, away from the political faith of their fathers. But they are not going to leave the Democratic party. Why? Because they recognize the force of the color menace. They know the salvation of their homes, the prosperity of their State, depends upon white domination, and they will surrender their national politics in order to secure white home government. My friend can not do the Democracy of the South a better service than he is doing to-day. I hope he will keep it up for at least ten years, to save us at least that For that reason I want a reasonable number of the negroes, he will keep it up for at least ten years, to save us at least that

long. [Laughter.]

The gentleman talks about education in the South. We are educating the negro. In South Carolina each year there is raised and applied for education, from various sources, an amount equal and applied for education, from various sources, at a mount equal to 5 mills upon the assessed value of the property of the State; and there are more negroes than whites enrolled in the schools. During the past thirty years, according to Dr. Harris, Commissioner of Education, the South has spent more than \$100,000,000 for the education of the negro, and he has not contributed 5 per cent of the appoint cent of the amount.

Nowhere on earth is he so well or fairly treated as in the South, and I cheerfully do him the justice of saying that I do not believe and I cheerfully do him the justice of saying that I do not believe that on the face of the earth can be found more faithful or satisfactory servants, domestics, and farm laborers, specially adapted as they are to certain sections of the South. He is all right in his place, and will continue to prosper and be contented with it. With us he gets work, protection, and justice; with you he gets nothing except his right to vote the "mancipation ticket," with never a piece of an office thrown in-your only use for him is his

Now, the plain answer to all these arguments is the way the South is growing. The South could not be making such tremendous progress and development as she is if the condition of disorder existed there as my friend would have this House believe. Our factories are rapidly growing, and not wholly by Northern capital. The gentleman from Massachusetts [Mr. Lovering] can capital. The gentleman from massachusetts and the variation of the capital that is invested in the mills in my State, not 14 per cent of it is from the North. It is Southern capital, and evidences the progress and development of that country. I mention that particular industry because you are more familiar with its reputation than any other. We not only make the cotton, but we manufacture it and we export the manufac-The South to-day exports over one-third of the total exports of this country, nearly \$400,000,000 annually. We have got something else to do down there besides hunting negroes, much

as the statement may surprise the gentleman.

Now, I will refer to some mistakes that the gentleman made about South Carolina. I am not going to enter into any extended argument. I deny the right of any member to bring my State upon this floor for trial—not that I am afraid to meet it, but it

is beneath her dignity, and there should be no necessity for it. But I will answer some things that he refers to. He says:

Other States than those mentioned have restrictive qualifications upon manhood suffrage, but they are of such a character and apply to such conditions that it can not be said that in any particular State they directly and necessarily disfranchise a sufficient number of citizens to materially affect the basis of representation.

Now, in Massachusetts in 1890, according to the census, there were 263,432 illiterate persons, who must be excluded from representation, according to my friend's position. In Connecticut there were 49,698. So the South is not the only country where that condition exists to an extent "to materially affect the basis of representation.

Now, here is what he says about lynchings in the South:

The perpetrators of these crimes against civilization do not make the poor excuse that the penal machinery is inadequate, and the most appalling aspect of the situation is that in some of the most atrocious instances of mob execution the work is done in broad daylight, and no effort is made on the part of the perpetrators to conceal their identity. No prosecution ever follows.

He ought not to have brought Indiana into the question in this indirect way in the light of what has recently occurred at Rockport, where two negroes charged with murder were hunted down with bloodhounds and brutally lynched, and the third pursued to a neighboring town the day following and murdered in cold blood. How can he with any regard for the fair name of his State have the audacity to introduce such a subject upon this floor?

Mr. KLUTTZ. Three negroes lynched in two days!
Mr. CRUMPACKER. Does the gentleman believe that one-half of the Gulf of Mexico could be polluted and the other half remain

Mr. WILLIAMS of Mississippi. That is just what we are talk-ing about; we claim your half is just as rotten as ours. Mr. WILSON of South Carolina. That is simply a side remark which the gentleman from Indiana has made. We say that there which the gentleman from Indiana has made. We say that there are more convictions of negroes in proportion to the number in the North than there are in the South, that in proportion to the respective populations there are more negroes to-day in the penitentiary in the North than there are in the penitentiary in the South. There the negro gets protection. Do not be afraid about that. We do not protect him in one crime; we never will. As long as he compiled the will be promptly lynched certain gives long as he commits it he will be promptly lynched, certain, sure, just as he will be in any other section of the country. But when he commits other crimes he gets his trial by jury.

And, as if he were determined to show how utterly and monu-

mentally ignorant he is concerning our conditions, he says:

With their natural manufacturing resources and cheap, tractable labor, the field is peculiarly inviting to capital. The employer is free from the annoyances that labor organizations sometimes give in other sections, and with simplified machinery and the coercive force of penal laws, the negro becomes as efficient a factory hand in many lines as the white man. Capital will continue to be attracted by such favorable conditions, and the products of cheap, servite toil will continue to be sold in competition with the products of intelligent, independent labor in other sections of the country.

Now, Mr. Speaker, as matters of fact, in all the Southland there are but two small cotton factories run with negro labor, and in my humble judgment and with my fervent hope both of them will soon cease the experiment. In none of them is there now or ever will be the joint service of both races. The white race would not permit it there any more than in the North. The negro can never become a competitor with our white people in the mills, for the simple reason that by nature he can at best make but a very inefficient operative, while, as I clearly established on this floor two years ago, there is no mill help in the world that can compare in the world that can compare in character, intelligence, blood, and efficiency with that of the South, composed as it is of our own people, heirs of two centuries of Southern spirit, independence, intelligence, and love of country.

of Southern spirit, independence, intelligence, and love of country. Nor is he any nearer the fact when he states that labor organizations are unknown to the operatives in the South, though he is undoubtedly correct in the collateral statement that negro labor is wholly unorganized. In no possible contingency will he ever be admitted into Southern labor organizations—the color line, to a dead certainty, will always be drawn in them. As yet the mill operatives have not, to any great extent, formed themselves into unions or organizations, but, of course, it is but a question of a few years at most when they will find it convenient and to describe interests to do so—it has already begun—not because of any any interests to do so—it has already begun—not because of any antagonism to capital or the mill managers and owners, for they now cooperate amicably, but for the same reason that has caused labor the civilized world over to organize—its own benefit and protection. No reasonable man will object to it, and no amount of unreasonable objection can avail against it. [Applause on the Democratic side.]

[Here the hammer fell.] Mr. HOPKINS. I yield thirty minutes to the gentleman from

INT. HOPKINS. I yield thirty minutes to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Speaker, there are some very amusing features that have been presented by this debate. The gentleman from Illinois [Mr. HOPKINS], in support of the committee bill, took up the bill of the minority and showed very conclusively that it was framed upon entirely illogical, unfair, and uncertain

mathematical computations, and then he blandly admitted that his bill was based upon precisely the same mathematical calcula-The gentleman from Maine [Mr. LITTLEFIELD], in support of the minority bill, took up that of the majority and satisfied everyone that an illogical, unfair, and unsafe basis had been adopted for the construction of that bill, and then admitted that the bill which he advocated was based upon precisely the same principles, excepting that he arbitrarily injected into the bill which he supported Representatives from three other States that were not war-

ranted in any sense by the mathematical computation.

A great deal of time has been spent in trying to show the justice of the various bills. And yet every gentleman who stops to think about it knows that it is absolutely impossible for any man to have a scheme that will be absolutely just to the people of all the States. In the very nature of things it can not be done, and therefore it appears to me useless to waste time in these various comfore it appears to me useless to waste time in these various comparisons. Take, for instance, the bill that has been lauded here by the minority of the committee as containing peculiarly the features of essential justice. Yet that very bill, notwithstanding their declarations that all major fractions are represented, leaves the State of Iowa with a majority fraction of 106,000 without the in-

crease that should be given to a majority fraction.

How do you account for that, gentlemen? You get right up to the next number to that which would give Iowa this additional representation, and there you stop, yet you claim great virtue for yourselves because of the exact justice that is manifested by your bill. The truth is, gentlemen, you can not any of you be just. You can not divide by any divisor so as to give to every man exact representation in this House, and therefore we might as well discard that. Why should you insist about majority fractions? exact representation in this House, and therefore we might as well discard that. Why should you insist about majority fractions? Suppose that the divisor is 200,000, and here is a major fraction of 100,001, which has representation. Here is another fraction, that is not a majority fraction, of 100,000. You deny representation to that, and yet it may be a babe 6 months old that constitutes the major fraction. You might suggest that you are giving representation in this House to that baby.

Mr. Speaker, I think that the whole question involved here is one of expediency. What is the better size? What number of Representatives can best perform the duties that devolve upon them in a deliberative body? Not this body, for I am willing to confess here that it presents none of the features of a deliberative

confess here that it presents none of the features of a deliberative body [laughter], but that deliberative body that we ought to have. The fathers gave us their opinion with regard to this matter. When they provided for 26 Senators they provided for 65 Representatives. That was their idea. They thought that the

Representatives. That was their idea. They thought that the political power of a member of the Senate should be two and a half times greater than the political power of a Representative.

Mr. WILSON of South Carolina. I would ask the gentleman what was the proportion in the last census?

Mr. HEPBURN. If the gentleman will possess his soul in patience he will find that I am talking about what the fathers did, and the fathers did nothing with regard to the Eleventh Census,

so far as I am advised. [Laughter.]

That was their idea. How is it in the different States? In the State where I live there are 50 senators and 100 representatives. In the State of Illinois, I believe, there are three representatives

to one senator.

Mr. GROSVENOR. Fewer than that in Ohio.

Mr. HEPBURN. I think that in the majority of the States the proportion is less than three to one. There is a consensus of opinion, at least in some degree, that might enlighten us.

But, Mr. Speaker, I believe it is the duty of Representatives here to preserve the political power with which they are invested as compared with Senators. Senators have on a number of occarious increased the number of Representatives or it has been done. sions increased the number of Representatives, or it has been done in the Senate. You have noticed, undoubtedly, that we have been favored with the presence of Senators during the discussion of this bill as we are not on other occasions favored. A great interest, newspapers inform us, is being taken by those of a certain character, attempting to influence this House in the direction of an enlargement of its membership. Why? Because the larger this House becomes the greater proportionate power does the Sen-ator retain as compared with the Representative. It is too much now, and yet the House is all the time consenting to augment it.

Why should we, where it is unnecessary, constantly insist that the appointing power should be limited to control by the Senate? Why should all the inferior Federal officers hold their induction into office because of the advice and consent of the Senate? are constantly augmenting the power of Senators, while they are constantly curtailing ours. It is unwise. I think there is something in this for consideration. Gentlemen tell us now, who are advocates for enlarging this House, on other occasions that the fact of an enlarged House justifies a system of government in the House that is destructive to the individuality of members, and absolutely destructive of the representative power that the Constitution gives us and that cur people fondly think we enjoy.

When you attack the system of rules that we have, that is

When you attack the system of rules that we have, that is

vicious in every degree, that is harmful to the individual character of the member, that is harmful to the deliberative character of this body, that absolutely destroys it, and puts it beyond the power of any individual to participate in legislation or to bring to the consideration of this House any measure, no matter how important it may be to him or to his people, without he gets the consent of another person, another Representative—when you attack that vicious system, you are told that it is because the House is a mob, because it has been so enlarged that individual responsibility does not waigh upon the many basis because them. responsibility does not weigh upon the members; because there is no possibility in the confusion of the vast number to secure that deliberation that is necessary to the proper discharge of public business. On those occasions the House is too large. I believe it is wiser, I believe it would be better for the people, and it would be better for the individual membership, to decrease

rather than increase the number of Representatives.

Mr. JONES of Virginia. Will the gentleman permit a question?

Mr. HEPBURN. Certainly.

Mr. JONES of Virginia. I would like to ask the gentleman from Iowa if he would vote for an amendment to the Hopkins bill fixing the number at 350 instead of 357, and thereby reduce the

fixing the number at 350 instead of 357, and thereby reduce the representation of Iowa from 11 to 10?

Mr. HEPBURN. No, sir; I would not do that. But I will say this, if the committee in its wisdom, after an examination of the whole subject, had introduced a bill of that character, I would have supported it. [Applause.]

Now, Mr. Speaker, I do not believe that any corresponding good will come to us by this enlargement. Let me remind the gentleman from Virginia that the time once was when the State of Virginia had 24 Representatives in this House. In my judgment.

Mr. JONES of Virginia. I would like to ask the gentleman

what census that was.

Mr. HEPBURN. I have forgotten; the number was between 22 and 24

Mr. JONES of Virginia. Twenty-three was the highest number of Representatives that Virginia ever had.

Mr. HEPBURN. I came within one of it. [Laughter.] I take it that every argument that could be made to-day for increasing the Representatives of this House so that Virginia shall continue the Representatives that she now has could have been made at the time when she had 23. Suppose that that argument had been effective, and suppose at each recurring period when it was made it had influence, what would have been the number now? More than 800 members would have seats upon this floor. There was a time when the State of Maine had 8 members.

When it was proposed to diminish that number, I have no doubt but that there was some eloquent son of Maine who made sub-stantially the same argument that was made here the other day; and yet if that argument had been potential, if that number had and yet it that argument had been potential, it that number had been continued up to the present time, and other States had the representation that they would have had, to-day there would be 771 members entitled to seats upon this floor. And has Maine suffered? Certainly not. As the people have learned from time to time, when they must lose in quantity they have so improved the quality that Maine certainly to-day has no cause to blush for her quality that Maine certainly to-day has no cause to blush for her

representation on this floor.

Mr. JONES of Virginia. Will the gentleman permit a question

in that line?

in that line?

Mr. HEPBURN. Why, if the gentleman desires to ask me if I want to say the same thing for Virginia, I will say, unhesitatingly, "yes." [Great laughter.]

Mr. JONES of Virginia. I would ask the gentleman if this apportionment had taken place two years ago instead of now—when Mr. Reed was Speaker and Mr. Dingley the leader of the majority—if he thinks such a bill as this would ever have been reported here?

Mr. HEPBURN. Oh, Mr. Speaker, I remember well the potency of the Speaker. [Laughter.] I remember that a particular indi-

of the Speaker. [Laughter.] I remember that a particular individual at the time mentioned had his great power as an individual reenforced by the surrender of my power and that of every other member of this House into his hands. Whether he could have controlled the committee I do not know, but I am inclined to doubt it.

Mr. Speaker, I want this House to have the largest number of persons that it can to discharge the business that it has to transact; but I do not want its number to be so augmented as will furnish an argument for the binding of the hands of the individual members of the House. And I know, and every one of you know, that it will be urged, and that it will have its effect upon certain members who have to vote upon a question of the rules before they have had an opportunity to chafe under the restraints and tyrannies of those rules.

And I know that when the placid gentleman now occupying the chair, the leader upon this side, my venerable friend on my right, and a corresponding number of gentlemen occupying corresponding positions on that side of the House, in the early days

of the session, when the neophyte is here and has not been hazed [laughter], he sees them standing up as advocates of a retention of the rules without change, he naturally says to himself, "This must be all right, or such leaders, who have the confidence of the American people, would not be their advocates," forgetting, or never knowing in his innocence, that these gentlemen belong to the charmed circle [laughter]; that these gentlemen, because of their great eminence, because of their marked and recognized superiority, have a power in this House that is above rule, or that compels the amelioration of the rule in their behalf whenever they propose to invoke it.

Mr. Speaker, I heard a gentleman in this debate, in support of this enlarged number, say that this House could do whatever it chose. I want to deny that statement. I make the assertion here that there is no proposition that affects the people of my State or of any one of the States that an individual member can secure even consideration of without he first addresses himself to another Representative and gets the consent of that Representative. [Applause.] I remember of hearing my friend on my right once say that under the rules of this House the House could do whatever

that under the rules of this House the House could do whatever it chose. I would yield to him a moment for the purpose of asking him if, after reflection, he would contradict the statement that I have here so deliberately made?

Mr. GROSVENOR. After the very high compliment that the gentleman from Iowa has seen fit to bestow on me I would not

contradict anything that he would say. [Laughter.]
Mr. HEPBURN. Thank you. I now appreciate the value of compliments, and I shall henceforth use them in the place of arguments. [Laughter.] Mr. Speaker, the statement that I have made is a grave one. It ought not to be made without deliberation. I ought not to say to the American people that the whole scheme and plan of the Constitution with regard to this House of Representatives is subverted, destroyed, annihilated by the rules of this House without it was true. And I will ask any gentleman, and I will yield to him if he will undertake to tell us, how any proposition can be brought before this House without it receives the assent of the Speaker of the House. And even then, with reference to a great majority of propositions, how can it be brought to the House after it once has gone into the bosom of a committee and that committee does not see fit to report it?

Every member upon this floor, 356 of us, may be anxious for

the adoption of a proposition, and it can not be brought to the consideration of the House by any possible means known to the law without the consent of that gentleman into whose hands you and I have surrendered the political power of our constituents.

Now, Mr. Speaker, what is the excuse for this? Mind you, I

am not criticising the old Speakers or the new. I have no com-plaint to make of the manner in which they administer their plaint to make of the manner in which they administer their power. I am quarreling with ourselves, and we will be asked to continue this robbery of ourselves, this wrong to our constituents, this surrender of their political power—for it is theirs, gentlemen, and not yours or mine—we will be asked to continue this. Why? Because the House is so large, because it is so unwieldy, because the confusion is so great, that business can not be transacted without it. Therefore from time to time the surrender is made. made.

I want that we shall act on this bill so that we will not give added force to declarations that are made in that behalf in the near future. I think that even with the number that we have near future. I think that even with the number that we have there is confusion. My friend called attention to it to-day when the important matter was being settled as to when we should reach a vote upon this question. Time and again the gentleman from Tennessee [Mr. RICHARDSON] was compelled to rise in his place and insist that although important business was being transacted publicly here upon the floor he could not hear a word that was said. He could not tell whether to object or not, and the efforts which the Speaker vigorously exerted time and again were necessary in order to get that slight measure of order that would permit even the gentleman seated where he is to hear what was going on in the House. I do not want this number to be enlarged. I do not believe there is wisdom in the enlargement.

This bill, as it is presented by the committee, seeks no political

larged. I do not believe there is wisdom in the enlargement.

This bill, as it is presented by the committee, seeks no political advantage—none. It is fair, I think, on that question. We would gain, as Republicans, something under the bill proposed by the minority, but if we are going after things political, I am not content with that. I want to go further. I want to increase the membership just 12 more—only 12, gentlemen, only 12. [Laughter.] As one gentleman said a little while ago, "Twenty-nine will make no appreciable difference in the manner of conducting the business in the House." And if it will not, then the House with the addition of 12 more—only 12—will not make any appreciable difference in the transactions of the business of the House, and it will give to the poor, defenseless Republican majority here and it will give to the poor, defenseless Republican majority here an advantage of 15. I take it, in some future House; and if we are going after political advantages, I want to go for the largest number. That is the largest number we can possibly secure in any of the propositions that are made between 350 and 400, and if we are

to be moved by political considerations, I want to tell you, gentlemen, my lofty soul can not be moved by a paltry 7. [Laughter.] I want 15. [Laughter and applause.]
[Here the hammer fell.]

Mr. LONG. Mr. Speaker, we certainly have been much interested and instructed by the speech of the gentleman from Iowa [Mr. Hepburn]; but if we did not know that the bill under consideration was one to apportion Representatives, we would think that he had been discussing a proposed amendment to the rules of the House.

I have listened before to the gentleman's criticisms on our rules. I listened to his great speech at the beginning of the Fifty-fourth Congress, when I first became a member of the House. I realized then his power as a speaker, and the justness of some of his criticisms, but I remember that the rules were adopted in that Con-

gress notwithstanding his objections.

I was not in the Fifty-fifth Congress, but the Record shows that he made the same criticisms then. He omitted to make objection, for some reason, at the time of the adoption of the rules of the House in the present Congress, but makes his criticisms to-day instead. I remind the gentleman of the fact that the rules of the House under which we are now proceeding were adopted first in the Fifty-first Congress, when the membership of the House was 325 instead of 357; and I would like to know whether these rules are any more objectionable in a House of 357 than they were in a House of 325. The gentleman's objection is to our rules and our procedure under them, not to the size of the

I speak to-day in favor of the proposition for a larger House. I speak in favor of the proposition for a House that will recognize the increase of population in this country in the last ten years. I am in favor of a House that will follow the precedents of half a century by an increase in membership to keep pace with the increase in population. I am not willing to go back to the apportionment act of 1850 as a guide for my footsteps, even though it is independ by the centlement from Lower

is indorsed by the gentleman from Iowa.

But while I differ from him in regard to the size of the House, I agree with him that it is impossible under the Constitution to do equal and exact justice to all the States in an apportionment will. The members of this House, The members of this House were certainly convinced of that fact by the criticism which the gentleman from Illinois [Mr. Hopkins] made on the bill of the minority, that it did injustice to certain States; and they also realized from the speech of the gentleman from Maine [Mr. LITLEFIELD] that the bill of the maority did injustice to some of the States.

The statements of these two gentlemen are absolutely correct and show the impossibility of enacting a law that will exactly

apportion Representatives among the several States.

The Constitution provides that Representatives and direct taxes shall be apportioned among the several States according to their respective numbers. Direct taxes can be exactly so apportioned. When the amount of the tax is determined it can be apportioned among the States according to their respective numbers, for the reason that a dollar can be divided into 100 parts, and those parts, by the use of fractions, can be still further divided, so there is no difficulty about the partial part of direct taxes. difficulty about the apportionment of direct taxes to an absolute certainty

But when we come to the apportionment of Representatives, and assume a certain number as the size of the House, a difficulty and assume a certain number as the size of the House, a difficulty arises from the fact that the population of the different States varies, and it is impossible to divide a Representative. If the population of each State could be accurately and equally divided by any ratio and no remainder left, then Representatives could be apportioned with the same accuracy and equality as direct taxes. But this can not be done, and so from the organization of the Government on to this time aways from the organization of taxes. But this can not be done, and so from the organization of the Government up to this time, every ten years when an apportionment bill is up for consideration, this question has been debated and discussed and has been the cause of as much argument and controversy as any nonpolitical question that has arisen in Congress. It has attracted the attention of the best minds of

the century.

From the time that George Washington vetoed the first apportionment bill, after full consultation with his Cabinet that included Hamilton and Jefferson, down through the century, we find that Madison, Webster, Clay, Trumbull, Conkling, Edmunds, Garfield, and many other statesmen of the country have given their best thought to this question of making the apportionment of Representatives as nearly fair and equitable as is possible under

the circumstances.

THE BILLS OF THE MAJORITY AND MINORITY OF THE COMMITTEE.

I call attention to the fact that the bill of the majority, on a computation of 357 members, gives on even division 335, while there are 4,595,126 persons who are unrepresented after that division. What does the bill of the majority do? It gives representation to the four States of Delaware, Idaho, Nevada, and Wyoming. It is compelled to do that under the provision of the Constitution which requires that each State shall have at least one Representative. Then it takes 18 of the largest fractions in the different States and accords Representatives on those frac-

We can go no further. Our process uses fractions until we reach 357 only, and we are compelled to leave 23 States with fractions aggregating 1,384,468 without any representation on those

fractions.

What does the bill of the minority do? On even division, on a computation of 384, it secures 360. Then, after giving those 4 States Representatives, which it is compelled to do under the Constitution, it takes 22 other States with major fractions and accords them Representatives on their fractions, and then the minority say, "We are unable to accord representation to 1,031,055 persons in the United States." In their bill they accord representation to 253,712 more persons in the different States than the bill of the majority, and, in my opinion, that is getting nearer to exact justice, nearer to equity and the rights of all the States than does the bill of the majority. Now, what is the difference between the two methods? In what respect do they differ in their plan of operation?

in their plan of operation?

Mr. HEPBURN. May I interrupt the gentleman a moment?

Mr. LONG. Certainly.

Mr. HEPBURN. I wish to ask the gentleman, under his ratiounder the table 384-after making the divisions and aggregating the remainder, does he not have a larger number unrepresented than under the table of 357?

Mr. LONG. We do not. The difference is 253,712 in favor of nr proposition. We give representation to that many more our proposition.

Mr. HEPBURN. If the gentleman will allow me to correct him, under the table of 357 the remainder is 4,595,126. Under the table of 384 the remainder is 4,660,386.

Mr. LONG. If my friend from Iowa will remember, I have just given those figures; but the bill of the majority accords Reprejust given the second se sentatives to fractions, until the remainder, 4,595,126, is reduced to 1,384,468.

Mr. HEPBURN. Those are minority fractions, are they not? Mr. HEPBURN. Those are minority fractions, are they not? Mr. LONG. No; they are only minor fractions in Nevada and Wyoming which, under the Constitution, receive one Representative each. There are major fractions in all other cases. The bill of the minority accords Representatives on fractions and reduces the remainder, 4,460,386, to 1,031,056. This bill reduces it 253,712 more than the majority bill does. The unrepresented population in the United States is 253,712 fewer under the minority bill than under that of the majority, and I ask the gentleman from Iowa whether that is not nearer to exact justice in an apportionment than the bill of the majority? than the bill of the majority?

Mr. HEPBURN. I do not think it makes any difference one way or the other as a matter of justice.

Mr. LONG. That is the difference between the gentleman and myself. I think Congress under the Constitution should adopt such method or methods, such process or processes, that will give representation to as many people in the different States as possi-ble and leave as few people in the different States unrepresented

as possible.

Mr. HEPBURN. Then, let me ask the gentleman why he does not go still further, so that his divisor will be a less number? The

smaller the divisor the more certainty there is of having exact and equal justice in the distribution of power. Why not go to 400 as the total membership of the House?

Mr. LONG. Will the gentleman present an amendment for 400?

Mr. HEPBURN. You are talking about what ought to be done. Mr. HEPBURN. You are talking about what ought to be done. Mr. LONG. Is the gentleman ready to propose such an amend-

ment?
Mr. HEPBURN. Certainly not.
Mr. LONG. If he will propose it, I will support it.
Mr. HEPBURN. But in your anxiety about doing exact justice why do you not go still further?
Mr. LONG. In the minority bill we have recognized the increased population in the country since the last census, as I will show before I conclude, and we have enlarged the House, following the precedents of prior apportionments. We have made no greater increase than was made in the apportionment of 1882 and in that of 1801. in that of 1891.

THE DIFFERENCE IN METHODS BETWEEN THE BILLS.

The difference between the two bills is this: The gentleman from Illinois—and I would like to have the attention of my genial friend from that State—the gentleman from Illinois takes 357 as the fixed number. He divides the constitutional population of all the States by that. He gets the ratio in that manner. Then he divides the population of the different States by that divisor and obtains a certain number on even division, and that number is 335.

He has a number of fractions left over in the different States

He has a number of fractions left over in the different States. He accords representation to the 4 States of Delaware, Idaho, Nevada, and Wyoming, as he is compelled to do under the con-stitutional provision that each State must have at least 1 Repre-

sentative, and then to the 18 States having the largest fractions he accords Representatives. When he reaches the number 357 he says, "Even though I have done injustice to Colorado, Florida, and North Dakota in not giving them representation on their major fractions, yet I am compelled to refrain from doing so because my process will not admit of it."

The minority of the committee believe with him that there should be a certain assumed number as the size of the House, but they differ from him in this, that they do not believe that number should be absolutely fixed and invariable. They believe that it is just and right to vary from that number whenever it is necessary to give representation to major fractions.

Mr. HOPKINS. Will it trouble the gentleman if I interrupt

Mr. LONG. Not at all.
Mr. HOPKINS. I do not desire to interfere with the gentleman at all. On that principle, if you wanted to carry that on so as to take care of every major fraction, is it not a fact that you can not stop short of 395?

Mr. LONG. It is a fact under your process.

Mr. HOPKINS. We will not call it anybody's process, but under the figures presented by the Director of the Census, and under which, it is claimed by the minority of the committee, the bill is in part framed, is it not a fact that in order to have all the major fractions cared for you can not stop short of 395, with a ratio of 188,774?

Mr. LONG. It is a fact that you can stop anywhere you want You can assume any number you want to assume in the first instance, and then, in making your division, do it with the understanding all the time that you are not bound to the original assumed number, but that you must go on and give representa-tion to the major fractions until you give representation to every major fraction that exists.

Mr. HOPKINS. Now, if my friend will allow me, under the bill that is advocated by the gentleman, with the number that they propose to fix as the membership of the House, there are major fractions in both the States of New York and Pennsylvania, and if you include those States it will keep you on until your each the number 395, at which number you dispose of all of the major

Mr. LONG. I want the gentleman's attention once more, and I hope that he will be fair on this question.

Mr. HOPKINS. Oh, certainly.

Mr. LONG. The computation is made on the Table 384; but on that computation? States and 2 States only have major fractions. that computation 2 States, and 2 States only, have major fractions unrepresented—the States of Virginia and Nebraska. When you take the Table 386 and attempt to give representation to every major fraction on that table you find that you have 6 States with major fractions—Iowa, Maine, Massachusetts, Michigan, Nebraska, and Ohio. That is when you take 386; but when you take 384 you only have 2 States under the table without representation on major fractions.

Mr. HOPKINS. Now, right there. When you take 386, then there are 6 States instead of 2 that have major fractions.

Mr. LONG. That is right; that is, when you make the computation on 386.

tation on 386.

Mr. HOPKINS. Then you keep on increasing in order to dispose of the major fractions until you get to 395, and at 395 no State loses anything and every State is treated exactly alike.

Mr. LONG. I do not admit that it is necessary to go to 395. I hope the gentleman will understand that. He is wedded to a particular process that recognizes only a sufficient number of fractions to reach the original number. This House, in my opinion, is not tied to that particular process.

Mr. HOPKINS. I do not desire to interrupt the gentleman unnecessarily, but I wish to say this: I have never contended that the House did not have the right to do whatever it chose. My proposition has been that if you take a process in order to determine the membership of the House, science and mathematics require you to follow it out and to treat every State alike under that proce

that process.

Mr. LONG. I want to call the attention of the gentleman again to the fact that we do not believe in following his process without any variations.

Mr. HOPKINS. No; but the gentleman must bear in mind that in mathematics you have got to follow out a proposition to its logical result. You can not take 384 and give representation to part of the States, and then adopt some other process, because that is not treating the States fairly. Either you must take the process and follow it through to its logical, legitimate, and mathematical result, or you must abandon it entirely and then make up your representation on some system of your own.

Mr. LONG. Not at all. The gentleman speaks of doing injustice to States. I have admitted that this process of yours and the plan under which the minority are operating will result in injustice to some States. If that was not the situation we would not be discussing this bill here to-day.

THE WEBSTER REPORT OF 1832,

I now call the gentleman's attention to the controversy that we had the other day, when, during the course of his remarks, he claimed that he was acting under the plan laid down by Mr. Webster, and he said that Mr. Webster in the Senate amendment adopted a certain number, and that by according Representatives to all major fractions he reached the original number that he had assumed in the first instance. I want to call his attention to the fact that he has made a misstatement in that respect and has at-

tempted to mislead the House.

This question has been the subject of great and extended discussion, simply on account of the fractions that remained after dividing the population of the different States by the ratio that was either assumed or found on some preliminary basis.

From the first apportionment down to 1832 fractions in every instance were disregarded, and no representation was given on them. In 1832 the House again passed a bill denying representation on fractions. It reached the Senate and, after some consideration, was referred to a committee, of which Mr. Webster was chairman. A report was made on the bill in which the whole question was fully discussed. Like every other question to which that great constitutional lawyer and statesman directed his attention, he proceeded to illumine the whole subject, and his report has formed the basis of much of the discussion on this question since that time.

In the first place, in this report Mr. Webster lays down the doctrine of the inability to do equal and exact justice to all. He states that it is impossible to make an apportionment that is exactly just and equitable to all States; and he says that part of the Constitution which requires us to apportion members among the several States according to their respective numbers means as near as may be; and that is what we are endeavoring to do. And he further laid down this proposition:

The next thing to be observed is that the Constitution prescribes no particular process by which this apportionment is to be wrought out. It has plainly described the end to be accomplished, viz. the nearest approach to relative equality of representation among the States; and whatever accomplishes this end, and nothing else, is the true process.

Further on he says that-

It may be necessary to employ several processes in order to accomplish the nearest approach to exact justice among the different States.

There is one proposition that Mr. Webster lays down that I want

to call to the attention of the gentleman from Illinois, and that is the one we are contending for; and it runs through an entire po-litical system. When we apportion delegates in our political conventions in the different States we accord representation for so many votes cast for a certain candidate in a previous election in the township or county, and one for every major fraction. All over the country representation in State and district conventions is given to major fractions, and I insist that we should recognize this principle in the passage of this bill, as it always has been done, with the exception of the act of 1850. with the exception of the act of 1850.

Mr. HOPKINS. Now will the gentleman allow me, right there?

Mr. LONG. Certainly.
Mr. HOPKINS. In your bill as you report it are there not States with major fractions that are unrepresented?
Mr. LONG. There are not.

Mr. LONG. There are not.
Mr. HOPKINS. Does not the gentleman know that in the State of Pennsylvania, under the minority bill, there is a major fraction of 120,515 that is unrepresented under that bill?
Mr. LONG. The State of Pennsylvania?
Mr. HOPKINS. Yes, sir.
Mr. LONG. The State of Pennsylvania has a fraction of 88,291, which is not a major fraction.
Mr. HOPKINS. On what membership?

Mr. HOPKINS. On what membership?

Mr. HOPKINS. On what membership?
Mr. LONG. On a computation of 384.
Mr. HOPKINS. Three hundred and eighty-four. Is your bill predicated on a membership of this House of 384 or 386?
Mr. LONG. Our proposition is—
Mr. HOPKINS. Answer my question.
Mr. LONG. I will answer it. We finally make a House of 386.
Mr. HOPKINS. Then, with 386, the tables show that there are 120,515 people in Pennsylvania that are unrepresented.
Mr. LONG. We are bound by the Constitution and not by the gentleman's tables.
Mr. THROPP. Will the gentleman permit me an inquiry?
Mr. LONG. Certainly.

Mr. THROPP. Will the gentleman permit me an inquiry?
Mr. LONG. Certainly.
Mr. THROPP. With reference to the fraction of which the gentleman from Illinois has spoken. If you make your bill 388, which is 2 more, Pennsylvania will have 33 members, an increase of 3 members instead of an increase of 2 members, as she has under the Burleigh bill. Further than that, if the gentleman wishes to reach the right conclusion, the only one that is right, as he says they wish to, and therefore he claims he presents the better method, he can reduce the total minorities from 1,300,000 to 1,000,000, and by making this House 395 members every State with a major fraction will be taken care of and 13 minority fractions will remain, and this will leave only 419,017 unrepresented.

Mr. LONG. Will the gentleman from Pennsylvania present uch an amendment?

Mr. THROPP. I will.

Mr. LONG. Has it the support of the Pennsylvania delegation?
Mr. THROPP. I do not know whether it has or not.
Mr. LONG. I wish the gentleman would ascertain.
Mr. THROPP. I only bring up the question now, so that the

gentleman can consider it.

Mr. LONG. I understand we can assume any number in the first place as the size of the House. That is recognized in this report. That is the basis and has been the basis of all apportionments, but we are not bound to work out a House and stop at that
assumed number. That is the principle we assert. I want now
to call the attention of the gentleman from Illinois—
Mr. HOPKINS. You have it all the time.

Mr. LONG (continuing) To what this report says in regard

Mr. LONG (continuing). To what this report says in regard to major fractions:

to major fractions:

If the view thus taken of the rights of the States and the duties of Congress be the correct view, then the plan proposed in the amendment is in no just sense a representation of fractions. But suppose it was otherwise; suppose a direct provision were made for allowing a Representative to every State in whose population, it being first divided by a common ratio, there should be found a fraction exceeding half the amount of that ratio, what constitutional objection could be fairly urged against such a provision? Let it be always remembered that the case here supposed provides only for a fraction exceeding the moiety of the ratio; for the committee admit at once that the representation of fractions less than a moiety is unconstitutional, because, should a member be allowed to a State for such a fraction, it would be certain that her representation would not be so near her exact right as it was before.

But the allowance of a member for a major fraction is a direct approximation toward justice and equality. There appears to the committee to be nothing either in the letter or the spirit of the Constitution opposed to such a mode of apportionment. On the contrary, it seems entirely consistent with the very object which the Constitution contemplated and well calculated to accomplish it. The argument commonly urged against it is that it is necessary to apply some one common divisor and to abide by its results.

And further on in the report the rule is stated to be this:

And further on in the report the rule is stated to be this:

Let the rule be that the whole number of the proposed House shall be apportioned among the several States according to their respective numbers, giving to each State that number of members which come nearest to her exact mathematical part or proportion; or, let the rule be that the population of each State shall be divided by a common divisor, and that, in addition to the number of members resulting from such division, a member shall be allowed to each State whose fraction exceeds a moiety of the divisor.

Unless, says the gentleman from Illinois, you reach the original number that you started with, and if you do, you must stop short, and go no further. What does Webster say?

It is true that there may be some numbers assumed for the composition of the House of Representatives, to which, if the rule were applied, the result might give a member to the House more than was proposed.

The same as it does in the minority bill. The same as it does under the majority bill. What then?

But it will be always easy to correct this by altering the proposed number, by adding one to it or taking one from it; so that this can be considered no objection to the rule.

What does the gentleman from Illinois say? "Stop! You must not go any further than the number assumed in the first instance." Now, what were the facts as to this amendment in the Senate,

the gentleman from Illinois to the contrary notwithstanding? In the amendment reported, the size of the House was in blank and the apportionment to the different States was in blank. Mr. Webster demanded a vote on the principle whether or not fractions should be given representation, and the vote of the Senate was a tie, 22 to 22, and the Vice-President cast his vote in favor of the Webster proposition, and the principle was indorsed by the Senate.

Mr. HOPKINS. Does the gentleman indorse all that Mr. Webster gray in that report?

ster says in that report?

Mr. LONG. I do not know whether I indorse all that he says or not. I have found nothing yet that I do not indorse, but there may be some things in it upon which I might take the gentleman from Illinois rather than Mr. Webster. [Laughter.] But on this proposition, and what this particular amendment was, I would rather take Mr. Webster.

Mr. HOPKINS. Will the gentleman allow me to read a line or

two from Mr. Webster's report?
Mr. LONG. If it is not too long.
Mr. HOPKINS. It is only a line or two.

It is enough that the State presents her own representation on the floor of Congress in the mode she chooses to present it. If the State were to give one portion of her territory a Representative for 25,000 persons, and to the rest a Representative only for 50,000, it would be an act of unjust legislation, doubtless, but it would be wholly beyond the redress of any power of Congress, because the Constitution has left all this to the State itself.

Does the gentleman from Kansas approve of that?

Mr. HOPKINS. All right.
Mr. LONG (continuing). The minority and the majority bills to the contrary notwithstanding.
Mr. HOPKINS. Well, you are prepared to take anything.
[Laughter.]

Mr. LONG. The principle being indorsed by the Senate, what happened? Two hundred and fifty-six was proposed in the Senate and voted down. Two hundred and fifty-one was proposed

and accepted, and that was the Senate amendment; and if the gentleman from Illinois had read the report that he said he had in his desk, he would have learned the way and manner in which the Senate arrived at the number 251. The number assumed was 250, and then they accorded a Representative to every major fraction, and that increased the House to 251, the same as by assuming 384, as is done in the minority bill, and according representation to every major fraction you make a House of 386. When this amendevery major fraction you make a House of 386. When this amendment came back to the House it was referred to a committee of which Mr. James K. Polk, afterwards President of the United States, was chairman, and he made a report against recognizing fractions at all. Mr. Edward Everett, of Massachusetts, presented a minority report. I want to call the attention of the gentleman from Illinois to the statement made in that minority report:

But while the minority of the committee are decidedly of opinion that the laws of equity and the fair interpretation of the Constitution require an apportionment on the principles of the amendment of the Senate, they recommend to the House to adopt a different number, viz, 256. This number has the advantage of retaining to each State its present representation in Con-

A matter that does not seem to concern the gentleman from Illi-

an advantage not possessed by the number 251. It is an additional recommendation of the number 256 that it is the exact mathematical result of the rule of proportion, applied according to the principles maintained in the foregoing statement. In apportioning a House of 250, the result is a House of 251—

And that is what the Senate did-

and if 251 be the number assumed the aggregate result would be 252. Although in practice there is no inconvenience in this result and the principle of the nearest possible approach to exact mathematical proportion remains unimpaired, the number 256 has the advantage of being free from this real or supposed objection. The minority of the committee accordingly recommend an amendment to the amendment of the Senate, in virtue of which the House will consist of 256 members, distributed in such a manner that each State will have that number assigned it which comes the nearest possible to the exact proportion which the population of the State bears to the Union.

That is what the minority of that committee, through Edward Everett, said; and if the Senate had adopted 256, the gentleman would be right in his assumption that they utilized all the major fractions and reached only their original number. But the number of the said of ber which the Senate adopted being 251, he was incorrect in his statement.

Mr. HOPKINS. The gentleman has been kind enough to refer to the minority report in that case. Does he not know that the majority report, presented by Mr. Polk (subsequently President of the United States), said that-

The amendment fixed the number of Representatives in this House at 251 members; and it is to be observed that there is no ratio or common divisor that can be selected which will equally apply to the separate population of the States?

So that the controversy between the House and the Senate was not so much as to whether every majority fraction should be represented as it was whether any fractions at all should be represented. Up to that time, from the foundation of the Government, fractions had been disregarded in all apportionments. The House prepared a bill on that basis and sent it to the Senate; and the Senate, under the leadership of Mr. Webster, found the inequalities with that they adopted a pay ratio to take some of major frac ties such that they adopted a new ratio to take care of major fractions. They prepared a bill for 251 Representatives, which took care of the major fractions.

Mr. LONG. They did not prepare a bill which assumed 251 in the first instance as the number. Their amendment assumed 250

as the number; and if the gentleman wants any more evidence on

that point, I will call his attention to the statement of Senator Dickerson as to how that number was obtained.

Mr. HOPKINS. I do not care how it originated. My proposition is this: The Senate struck out all of the House bill and sent back to the House a bill providing for a membership of 251,

which membership took care of the major fractions.

Mr. LONG. How did they reach that number?

Mr. HOPKINS. That is immaterial for the purposes of this

argument. Mr. LONG. Mr. LONG. It is not. That is the difference here between the majority and minority bills. The gentleman says that because we exceed the number that we first assumed we are violating the That is the difference here between the Constitution and all the rules of mathematical certainty.

say no.

Mr. HOPKINS. The gentleman knows that by taking 251 as the number they took care of every major fraction. Did they not:

Mr. LONG. They in the first instance took 250, and then, tak-

and the proceeding adopted in your bill is this: You have deliberately taken 384, as you say, and then added 2.

Mr. LONG. We add 2 for the major fractions.

Mr. HOPKINS. But when you get 386, you leave out two States with major fractions, which the Senate did not do in the case we are arguing.

Mr. LONG. Which the Senate did do.

Mr. HOPKINS. Oh, no; the Senate took care of all major fractions.

Mr. LONG. All major fractions on their computation, not on a computation upon some other divisor. Here is what Senator Dickerson said as to the basis of the calculation:

The basis of the calculation was for a House of 250.

Does the gentleman understand that? Mr. HOPKINS. I understand that fully. Mr. LONG. Two hundred and fifty, not 251.

Mr. LONG. Two hundred and fifty, not 201.

By applying a common divisor and rejecting the fractions the House was reduced to 240. These were the Representatives belonging to the aggregate fractions: those, being given to the States having the highest fractions, would make a House of 250, according to the original basis of the calculation. As, however, Alabama had a fraction less than those of ten other States, but still more than a moiety of the common divisor, and as this State is a new and rapidly growing State and possessing, without doubt, at this time a population sufficient to give her another Representative, it was thought but equitable that she should have such Representative.

The House refused to adout the amendment of the Senate. The

The House refused to adopt the amendment of the Senate. The Senate finally receded, and the bill was passed without recogniz-

ing any fractions in the apportionment.

It will thus be observed from the reading of this report and the proceedings under it that Mr. Webster believed that it was right to assume a certain number as the size of the House; that the constitutional population of all the States should be divided by it, and the result thus obtained should be used as a divisor to divide the population of each State; that in addition to the result obtained by dividing the population of each State by this common divisor, every major fraction should be accorded a Representative, and that this number should be added to the number obtained on even division, even though the number finally reached was greater than the one assumed in the first instance.

That is the way they reached 251-by recognizing all States with

major fractions.

Mr. HOPKINS. Will the gentleman state to the House Mr. LONG. I will have to ask the gentleman to desist If he

has any further questions—

Mr. HOPKINS. The only point I was going to inquire about—

Mr. LONG. I ask the gentleman to remember that my time is

limited.

Mr. HOPKINS. I will not occupy the gentleman's time further.

THE APPORTIONMENT OF 1842. Mr. LONG. The arguments made in the report of Mr. Webster left their impress upon Congress and the country, and the result was that when the next apportionment was made in 1842, for the first time in our history, major fractions were recognized and accorded representation. The act of June 25, 1842, recites the ratio of representation and then says each State shall have Representatives equal to the number obtained by dividing the population of each State by such ratio and then says:

And of one additional Representative for each State having a fraction greater than one molety of the said ratio, computed according to the rule prescribed by the Constitution of the United States.

The bill of the minority does that. The bill of the majority excludes three States, Colorado, Florida, and North Dakota, which have major fractions.

THE APPORTIONMENT ACT OF 1850.

When we come to the act of May 23, 1850, we find for the first When we come to the act of May 25, 1850, we find for the first time this ironclad, unyielding process followed by the gentleman from Illinois. Two things were attempted to be done by that act, both of which have failed in every apportionment since and will fail this time unless the gentleman from Illinois secures the passage of the bill of the majority and its enactment into law. The sage of the bill of the majority and its enactment into law. The first was that the Congress of 1850 said that this House had become large enough; that it never should be any larger; that there should be no attempt to keep pace with the increase of population; that the membership of this House should be fixed for all future time at 233, and in order to avoid the temptation of adding to the number or interfering with it they imposed upon the Secretary of the

Interior the duty of making the apportionment under the process.

The act instructs him to divide the population of the United States by 233; that the result should be the ratio of apportionment of Representatives, and that he should divide the population of Mr. LONG. They in the first instance took 250, and then, taxing care of every major fraction, they reached a House of 251.

Now let me read Senator Dickerson's statement.

Mr. HOPKINS. Before the gentleman does that, let me say this: When the Senate got through with the process which the gentleman has been talking about, they had a membership of 251, and every major fraction was taken care of, was it not?

Mr. LONG. Yes, sir.

Mr. HOPKINS. Now, the difference between that proceeding which the gentleman from Illinois is wedded and which he de-clines to vary in any particular, except that he assumes the number 357 instead of 233

It will be observed that this process differs from that laid down by Mr. Webster in this: It makes no distinction between major and minor fractions; it only takes a sufficient number of fractions, having regard to their size, beginning with the highest, which may be necessary, to reach the original number fixed as the size of the House.

This method was known for years as the Vinton method, named after the gentleman who originated it. It was followed in the apportionment of 1852 with no variations, but it has never been followed since, for by following it major fractions would not be accorded representation.

THE APPORTIONMENT OF 1862.

In the apportionment of 1862 the Secretary of the Interior apportioned a House of 233 under the law, and submitted his report to Congress. The House at that time consisted of 239 members, by reason of the admission of new States, and promptly passed a bill providing for 6 additional members, so that the size of the House would not be decreased.

The bill went to the Senate and was considered there. to call attention of the gentleman from Illinois and the House to the remarks of Mr. Collamer, of Vermont. He tells how it was amended. He says:

Take the bill as passed by the House of Representatives, that they should have their number 239, and then take the census of 1830 and divide the representative population by 239, as their bill proposes; that will ascertain your fractions.

fractions.

Then go on and give Representatives to every State, according to that representative ratio produced by that result, and then give to each State having the fractions, if by giving them you will make them nearer to the ratio than they would be by withholding them, and it will give to just those States which I have enumerated in my amendment, taking from none.

That made a House of 241, or 233 as apportioned by the Secretary of the Interior and 8 additional as apportioned by the act, and it was obtained just as the minority have obtained the number 386 in this case, by taking 239, dividing the population of all the States, obtaining the ratio, dividing the population of each State by it, recognizing all major fractions, and reaching a House of 241. The House concurred in the amendment and it became a

THE APPORTIONMENT OF 1872.

The apportionment of 1872 under the Ninth Census was first made on the basis of a House of 283 members. It was James A. Garfield's amendment in the House that finally was adopted and incorporated into the bill. A determined effort was made to retain the House at 243, it having increased to that size during the preceding decade by the admission of the States of Nevada and Nebraska. The attempt was a failure, and the bill provided for an increase of 40 in the House. The act gave representation to all major fractions.

Scarcely had the bill become a law when it was realized that an injustice had been done the States of New Hampshire and Vermont. By increasing the House to 283 all other States had saved the representation that they had at that time except the States of New Hampshire and Vermont. A supplemental bill was introduced in the House and passed with but very little opposition, the report of the committee containing this statement:

The recent action of Congress in increasing the size of the House to 283, in order to save 8 States from a diminution in the number of their Representatives, has inclined the committee to recommend a further increase of 9 members, making the whole number 292, which is believed to be the smallest number that upon an equitable and constitutional apportionment will leave each State with at least its present representation.

The committee adopted the mathed followed by the minerity of

The committee adopted the method followed by the minority of our committee, on the basis of an apportionment of 290 members. It is shown in the report that 278 members would be obtained on even division and 12 would be secured on fractions; but the committee did not stop, as the committee that reported this bill did, when the original number of 290 was reached, but proceeded further and gave New Hampshire a Representative on a fraction of 55,450 and Florida one on a fraction of 56,223. The ratio was 131,425; so these were not major fractions; but the report stated that the reason this was done was that greater injustice would be done each of these States by not giving it the additional Representative than to other States by giving it.

The bill became a law as it passed the House.

It will thus be seen that the apportionment of 1872, fixing the House at 292, which in a few years was increased to 293 by the admission of Colorado, was another instance in which jealous care was taken to accord Representatives to States with fractions, even though they did not amount to one-half the ratio.

THE APPORTIONMENT OF 188

In the apportionment of 1882, under the Tenth Census, several propositions were made as to the size of the House, and a bill was reported fixing the number at 320 members. Finally an amendment was proposed by Mr. Anderson, of Kansas, fixing the number at 325 and apportioning them under the recognized method, but

this number was selected largely, as is shown by the remarks of Mr. Anderson, because no State would have a major fraction unrepresented and the size of the House would not be unduly increased.

A reference to the table used at that time will show that 309 members were obtained on even division and that the remaining 16 members in order to reach the number 325 utilized all the major fractions and also two minor fractions, one in the State of New York and the other in the State of Texas.

THE APPORTIONMENT OF 1891.

In the apportionment of 1891 under the Eleventh Census, the committee of the House reported a bill fixing the number of members at 356, and used the following language giving the reasons for taking this number:

Trials were made until a number was found that would give a ratio which in application would secure each State against any loss in its membership and in no instance leave a major fraction. This number was found to be 356. The ratio was 173,901. The number of members obtained on even division was 339. The additional 17 needed to make the number 356 was secured by giving another member to each of the States having left to it a major fraction.

The bill passed the House and became a law.

From this history of apportionment it will be seen that since 1850 major fractions have always been accorded representation, and never in a single instance has an apportionment act failed to do so. Not only that, but in several instances large minor fractions were accorded representation when it was deemed equitable and fair to do so.

The report of this committee, if adopted, will be the first instance in which major fractions are disregarded and where an arbitrary rule or process has been adhered to, even though injustice is done to several States.

is done to several States.

The minority insists that not only should every major fraction be recognized in making the apportionment, but also, if possible without securing an unwieldy House, that a number shall be fixed that will not reduce the representation from any State. The number, 386, under the bill proposed by the minority secures this result. Every major fraction is recognized, and a number is fixed that does not reduce the representation of any State.

KANSAS DURING THE LAST TEN YEARS.

The gentleman from Illinois, in his remarks the other day, had this to say of Kansas, which I in part represent:

The trouble is not with the bill reported by the committee, but with the condition existing in the State of Kansas. Kansas has been cursed for ten long years with Populism. Capital has been driven from the State. Energetic, progressive, splendid men who sought homes there have been driven elsewhere. That young giant, as it was ten years ago, has been a laggard in the race of the States that form the Republic. Fifty-four counties in the State of Kansas during the ten years that the Populists have been in power in that State show a decrease. * * *

Now, Mr. Speaker, as I was saying, in 54 counties of Kansas in the last ten years the population has decreased from one-half of 1 per cent to 6 per cent, and taking the entire State, it has increased in population only 3 per centless than the births of the State.

It is true thet Kanses hes gained but 42 000 in population in the

It is true that Kansas has gained but 43,000 in population in the last ten years. But it is not fair to refer to her as a laggard among the States simply because the last decade has shown this small increase in population. That State, from 1860 to 1870, increased 240 per cent, and from 1870 to 1880, 173 per cent. It is a State wherein progress has been made under great difficulties, and where at times the courage and fortitude of the people have been sorely tosted. tested.

Great prosperity was apparent everywhere in the closing years of the decade ending in 1890; but in 1891 times became hard, and the prosperity that had been ours to such a remarkable extent, the prosperity that had been ours to such a remarkable extent, changed to adversity. In 1893 this country experienced the greatest panic that has been known since 1837. The prices of farm products decreased to the lowest point within the memory of men then living, and Kansas, which is usually first in prosperity, at that time was first in adversity, and the people of the State early in the decade began to leave it in great numbers, hoping that in Illinois and other States they could find prosperity and happiness, which it was not their fortune to have in the State of Kansas at that time. But no sooner had they left the State, and gone to Illinois and other States, than this general panic was upon the whole country, and they regretted many times the change.

If Kansas in the midst of her misfortunes attempted to correct and improve financial conditions by unusual legislation, it is not

and improve financial conditions by unusual legislation, it is not the first time in the history of the country that this has been at-tempted. Kansas has not taken the initiative. Kansas largely assisted in peopling the new Territory of Okla-

homa, to the south, and many persons that were enumerated in Kansas in 1890, in 1900 were counted in making up the total pop-

Ransas in 1890, in 1900 were counted in making up the total population of that great Territory.

But as Kansas was first to feel the general panic that swept over the country early in the decade, so she was first among the States to feel the return of prosperity when it came, and during the last four years, and especially during the last two, she has made wonderful advancement in recuperating the wasted fortunes of her people and in returning to her old-time prosperity and enterprise. and enterprise.

The value of the live stock and other farm products of Kansas during the last year increased in value \$28,000,000 over that of the previous year, and the value of those products during the last two years has increased \$66,000,000. The banks of the State are overflowing with money deposited by its citizens. They have not only paid off their mortgages and discharged their other obligations, but they are loaning money now to the less fortunate citizens of Illinois and other States of the Republic. [Applause.]

While this progress and improvement has been apparent everywhere in the last four years, it did not come in time to bring home our wandering citizens who had gone to Illinois, Missouri, Oklahoma, and other States and Territories which make a better showing in the returns of the census than Kansas.

It is unfortunate that the chairman of a great committee should have referred to the political eccentricities of our great State. The progressive spirit of our people has always inclined Kansas to experiment with new plans and policies in political affairs, but when found of no value she has always been quick to abandon them. I am myself a living witness of the political uncertainties of our State, but I am here to-day not to represent the Republicans of Kansas, the Democrats, or the Populists, but to represent the people of the State without regard to party. If we have erred in the past, the gentleman from Illinois should not taunt us with our wrongdoing, at least after we have fully and completely reformed.

There are those of us in the State who would like to forget some things that have happened in the last ten years in the history of our State, but the gentleman from Illinois insists on fixing a number for this House that will decrease our representafor the next ten years; insists that every time a roll call is had in this House, every time a vote is taken in the Electoral College, we of Kansas shall be compelled to remember that once we had 8 Representatives in this House instead of 7, and once had 10 votes in the electoral college instead of 9. He wants this State of ours chastised, and this as an object lesson, to be held up before us continuously for the next ten years, lest we forget the occurrences of the decade just closed. It is not right, it is not just, that this situation should obtain.

Kansas is not here as a suppliant for favor from other States.

Kansas is not here as a suppliant for favor from other States. She simply asks that a number may be fixed as a size for the House for the next ten years that will recognize the increase in the population of the United States. In 1870 the constitutional population of the United States was 38,000,000, and Congress in its wisdom fixed the size of the House at 292. By 1880 the House had increased to 293 by the admission of the State of Colorado. The population had increased 12,000,000, and was then 50,000,000. Congress recognized the increase of population and fixed the size of the House at 325, an increase of 32 Representatives, saying that 32 Representatives should be given to represent the 12,000,000 people who had been born under or had willingly come to live under our flag. In 1890 the population had increased 12,000,000 more, and was 62,000,000. Congress recognized the increase, and attempted to keep pace with it by increasing the size of the House to

tempted to keep pace with it by increasing the size of the House to 356, being an increase of 31, saying, "We will give 31 members to represent the 12,000,000 people that we did not have ten years ago." In 1900 the constitutional population of the States had increased 12,000,000 more, and was 74,000,000. The House has increased to 357 by the admission of Utah. The majority of the committee, for the first time in a half century, going back to the precedent of 1850, say there shall be no further increase in the size of the House of Representatives: that we shall not keep page with the House of Representatives; that we shall not keep pace with the increase in population; that 357 members represented 62,000,000 people, and that the same number is sufficient to represent 74,000,000. The minority of the committee say, in line with the precedents of a half century, "We recognize the increase in population by an increase in the membership of the House of Representatives." They propose the number 386, an increase of 29, and declare that those 29 members shall be as a recognition of the 12,000,000 people who are now citizens of the United States but

who were not ten years ago.

At this number no concession need be made to Kansas. She is At this number no concession need be made to accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded a Representative under the table following the strict accorded as the strict accorded process adopted by the majority of the committee. The exceptions made are in favor of the States of Nebraska and Virginia, and in making these exceptions we are following the principle laid down by Mr. Webster, which has formed the basis of the various apportionments since that time.

We are tied by no process. We are acting under the Constitution in making this apportionment, and under this high authority let us make an apportionment which will recognize the increase of population during the last ten years by enlarging the House of Representatives to keep pace with the population, and in so doing treat all the States fairly and justly, as near as may be, under this provision of the Constitution as interpreted by its greatest expounder. [Applause.]
Mr. HOPKINS. Mr. Speaker, I yield fifteen minutes to the gentleman from Pennsylvania [Mr. Grow].

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. Grow] is recognized for fifteen minutes.

Mr. GROW. Mr. Speaker, in the reapportionment of members of Congress the first question that arises should be as to the seating capacity of the hall in which they are to meet and do business, for everyone recognizes that there might be a greater number than any hall could accommodate. We have the practical experi-ence with a hall of this size, so it needs no theory about legislation, no theory as to a proper ratio for representation.

With the Hall before us, the eye settles the question as to capac-

ity and room for doing business. A few more seats might possibly be added, but with those we have it is the experience of everybody more than half the time that not half the members of this House can hear what is being said by whoever is entitled to

Some one may say that it is the fault of disorder. That is par-Some one may say that it is the fault of disorder. That is partially so, but the larger the Hall and the greater the number of members the greater will necessarily be the disorder. But one thing is true. It is not in the power of any Speaker of this House, now or at any time, to keep it in perfect order. There is only one way that the House can be kept in reasonably good order, and that is by every member keeping himself in order. The greater the number the more difficult it is for that to be done.

If the size of the House is increased-I am not discussing exactly what it should be-but would there be any advantage in having a larger Hall than this? Now we are crowded; members are pressing each other on either side in their seats. A few more seats might be added to this Hall, thus adding to its present dis-comfort. If that is done, and the number must be increased with the increase of population, then what can be done at the next census? With our experience in this Hall and the old one it would seem to be easy to determine what would be the best number for

the size of the House.

The members moved from the old Hallinto this one the first session of the Thirty-fifth Congress. The size of the House at that time was 233. It was thought in that session it would be better to bring the members more closely together and not to have them spread over the whole of this Hall. The chairs and desks were removed. The next session plush benches, such as they have in the British Parliament, were substituted for the chairs. They remained through the short session, and at the end were then

It was found very inconvenient to have no place to lay papers or books and not very convenient sitting room. I grant the benches would make more room, but the members of the House, judging by the trial made in 1858, would not continue benches in place of desks and chairs. If they would not, then there is no way of increasing the seating capacity of this Hall to any extent. But even if that could be done, it would only add to the inconvenience in doing business. Probably one-third of the present members of the House, in the ordinary course of business, can not hear what is doing if they retain their seats, even with great effort on the part of the Speaker to preserve order.

the Speaker undertakes to keep the House in order by the use of the gavel, he makes more noise than the disorderly members; and if by the use of his voice, it is only a few minutes and it must be repeated. The experience of a hundred years with the two Halls—the old and the new—dissipates all theories of what should be the ratio of representation of the people. In the old Hall there were 233, and I think 241 was the most that ever sat in that Hall.

In this Hall there has been an increase; but in the first session of the Thirty-seventh Cangress, in July, 1861, there were about 150 members in the House, and that was all; but the full size of that House was 233, but only 150 took their seats. In the twenty-eight working days of that session more business was done, more great, vital, and important legislation was passed than in any one session of Congress since the Government began. The circumstances of that session, it is true, were peculiar. There was no difficulty in anyone being heard, and business was transacted intelligently. It was unnecessary for a member to leave his seat in order to hear all that was said in the House. With our experience in the two Houses, why should we attempt to enlarge the seating capacity of this Hall, for that is what an increase of the membership means, when it is already too large for the intelligent transaction of business? It is true the Government could build a larger Hall, but that would not diminish the difficulty that exists now, but would increase it.

Mr. Speaker, I make no attack on the rules of the House. They are different from those that existed in the old Hall and those that existed here for a few years after the House moved into this Hall. existed here for a few years after the House moved into this Hall. But under the old rules the Reporters of the proceedings of Congress kept their seats at their desk, and if the person addressing the Speaker could not be heard his speech was imperfectly reported. Then if the Reporters could hear the speech, all the members of the House could hear.

Now, at the Reporters' desk scarcely anyone could be heard in the ordinary proceedings of the House, which is conclusive that

this Hall is quite large enough, if not larger than a hall should be, for the transaction of business. A member to-day takes the floor to discuss some question. He goes down into the area, or near it, and gathers around him a few members, and a colloquy is carried on among them, and that is called a deliberative discussion. In the proceedings in the old House and under the old rules no member was obliged to address the House by permission of a fel-low-member. Now no man can address it without such permis-

sion except in rare cases.

I do not think it is a deliberative body when a Representative must ask the consent of a fellow-member for time to speak on great questions. This practice has grown up by reason of the great number of members. I take it, Mr. Speaker, that in other days my sentiments on some of the grave questions in those times were not particularly popular with the influences that controlled the House, and had I been compelled to rely upon getting the floor as a favor from the Speaker, or from any member, my voice would have been silent, and so with every other member on a grave question whose views and opinions differed from those of the con-trolling element in the Hall.

An increase of the members, in my judgment, would only aggravate the evils complained of in doing business in this Hall. There is not sufficient room now, and the desks have been crowded together, so that it is almost impossible to add any more. If the desks are taken out, it will only last one session I am very sure. The seating capacity of the Hall is what ought to be the size of the House, and that can not vary very much from the present membership. If it did, the argument used to-day for an increase must come with redoubled force ten years from now.

That States send their young men and women abroad into newer fields of enterprise in our country is the reason why some States of the Union will lose in population, and consequently in representation. That can not be avoided, regret it as much as we will. These old States that belonged to the original thirteen must nearly all of them lose a part of their younger population, seeking their fortunes in the newer West, by which States spring up in the wilderness with but a few people to-day, and to-morrow with their millions.

For a century the younger generation of New England have left the old homestead—left father and mother—and turning their faces toward the setting sun have gone forth to make for themselves a new home. That can not be helped. Therefore, as much as we regret it that any State in the Union should lose a single Representative in this Hall in any reapportionment of population, it is inevitable. There is no such thing as having a hall large enough to hold all the Representatives on a ratio of increased population. ulation in the next ten and twenty years.

The population of this country so far in our existence has doubled every thirty years. It will probably do about the same in the next thirty years, growing from 76,000,000 to at least 125,000,000 people. So the time is coming when it is impossible that the same ratio of representation shall continue unless you build a hall so large that even the members can not see each other in it. No scheme could be devised whereby business can be transacted intelligently and expeditiously with more than a certain number of Representatives. When you add to that number in proportion to the increase of population, the intelligent transaction of business becomes impossible.

We might as well meet the impossible to-day as to-morrow. same question must be met under the next census, and the next one, and the same reasons will apply in both cases. It will be utterly impossible in a short time in the advancing future that the number of Representatives of the great Republic can be made on any ratio heretofore existing. That time must come. You might just as well meet the question to day as then; and if your own convenience for the dispatch of business during our term is to be set aside and inconvenience instead of convenience substituted; if we are to sacrifice the intelligent transaction of public business in order to have undiminished representation in the old States, great and glorious as they are, which by the circumstances of life can not be helped, we might as well meet that question to-day as any time. As long as the younger generation seek new fortunes in new homes, this question is coming to us every decade, and we might just as well meet it to-day as any other time. [Applause.] Here the hammer fell.]

Mr. GRIFFITH. Mr. Speaker, I find that those who support the minority bill have used up more time than those in support of the majority. I would like to have the other side use some of their time.

Mr. HOPKINS. I will yield ten minutes to the gentleman from

North Carolina [Mr. Pearson].
Mr. PEARSON. May Iask if I can add to that the time I received from the gentlemen from Indiana [Mr. CRUMPACKER and Mr. GRIFFITH

Mr. HOPKINS. Oh, there is no objection to that.
Mr. PEARSON. Mr. Speaker, I am greatly obliged to the gentleman from Illinois, who has had a good many attacks made on

him, and particularly as I am going to vote against his bill. I can not compress all I would like to say in the time allotted to me, which I believe, with that which was given to me by the gentlemen from Indiana, will make twenty-five minutes. I will not be able to make a "contiguous and compact" speech, to borrow the language of the gentleman's bill; but I desire especially to give to this House, and to my people, the reasons which compel me to vote against the Crumpacker bill, so called.

I shall vote for what is known as the Burleigh bill, knowing that

it will give one more seat to North Carolina, and that that seat will be filled by a Democrat. I shall vote against the Crumpacker measure, knowing that if it should become a law there would be seven members from North Carolina, in the present complexion of politics there, and every man of them a Democrat, and the seats now filled by Republicans and which might hereafter be filled by

Republicans from that State would be wiped out.

That may be called a selfish reason, Mr. Speaker. to that measure at this time, first, because we have not the data upon which to base a uniform and permanent statute. I am opposed to it because it bears unequally upon certain States. I am opposed to it because it inflicts a punishment on North Carolina which it does not inflict upon Virginia, Georgia, and Alabama, which States simply take a different method of disfranchising their voters.

I am opposed to it because the legislation on which it is predicated, so far as my State is concerned, is manifestly unconstitutional; and it is unwise and unjust to base national legislation, to last for ten years, upon State legislation which is void and will be

so declared within three years from now.

I am opposed to it, Mr. Speaker, because it excites at an inopportune moment sectional prejudice and race prejudice at a time when, thank God, and thanks to the patriotism of William McKinley, there never existed in this country a better state of feeling between the North and the South, and I would not have that feeling disturbed unless we could enact a fair, uniform, permanent statute, based upon fresh and accurate figures. The laws of Congress, like the laws of nature, ought to operate certainly, equally,

and gradually—not by jerks.

I want to say to the gentleman from Indiana [Mr. CRUMPACKER] that the figures which he quotes in reference to North Carolina

are manifestly inaccurate.

The census returns indicate that there are seven or eight counties in North Carolina in which the population in the last decade has decreased. How was that brought about? It was brought about by the emigration of the negroes; and the negroes emigrated from that State because of the harsh measures of the new régime. Certain counties, and particularly, as my friend from North Carolina [Mr. Kluttz] knows, the city of Raleigh, felt compelled to make a new census by local authorities. They did not credit the figures of the Federal census. They did make a new census, and that verified the Federal returns, but it was found the loss was due to the exodus of negroes, though there has been a normal increase among the

Therefore, I say to the gentleman from Indiana that his bill at this time can not be fair, can not be made uniform, and I dare to say to the American people that when men suppress the right of suffrage by violence or by fraud they are just as amenable to reduction in their representation on this floor as when they suppress or restrict that suffrage under legal discriminations, under so-called constitutional enactments.

I should like to address my remarks at this time especially to

my Democratic friends.

If no action is taken at this time on this question, if the Crumpacker bill fails, I say, as a Southern man whose people on both sides have lived in the South for two hundred years, we might as well recognize the fact that the time will come when there shall be an equal power given to every intelligent vote in this country. The time will come when one vote at the mouth of the Mississippi River will not be permitted to outweigh ten votes at the source of that river. I prefer that we should look this matter squarely in the face

And let me say to my friends on the Democratic side that when this race issue was acute—when there was real danger of "negro domination"—I voted with you and against the Republican party, in spite of the fact that I indorsed its national principles. I know what you understand by race prejudice. But when the time came in my State that the largest majorities for the Democracy came from those counties where there was the largest and densest negro population I could not be fooled any longer by that cry; and then I and others joined in the movement which overturned the Democratic party in that State. And I say to my friends that we might as well recognize the fact that the time is coming when the equilibrium of this Government will not permit such a strain as that which gives ten times as much power to a Southern vote as is accorded to a Northern vote. We can not say precisely when it will come.

Many of us will agree—there is a Republican leader of this House

who is sitting before me [pointing to Mr. HEPBURN], and another on my right [Mr. HOPKINS], who will agree—that if Abraham Lincoln had lived, that if that fateful bullet had not stopped the throbbing of his great heart, the troubles that grew out of reconstruction, the troubles that grew out of the enfranchisement of a great mass of ignorant men all at once, would have been avoided.

But it is just as true—and the historian who writes up this

period of our history will so say—that whatever the fourteenth amendment may be called, whether it be called a blunder or, as some of you gentlemen would say, a crime, it has failed of its purpose. Its only present effect is to give 39 seats in this House and in the electoral college to the Democratic party, and to throw upon the Republicans of the nation such charges as the Demoupon the Republicans of the nation such charges as the Democrats habitually in each campaign make on account of it. It has strengthened the hands it intended to curb and crippled the creatures it intended to aid. The fourteenth and fifteenth amendments, instead of being muniments of right, have been converted into instruments of injustice; instead of being pillars of the Constitution, they have been converted into two black signposts, pointing deluded believers to their doom. Lincoln's death was to the South the loss of her best friend.

the South the loss of her best friend.

The SPEAKER pro tempore. The time of the gentleman from

North Carolina has expired.

Mr. PEARSON. Mr. Speaker, my time, as I have already stated, has been gathered from various quarters; but I was to have twenty-five minutes altogether.

The SPEAKER pro tempore. From what source does the gen-

Mr. PEARSON. From the very generous gentleman from Indiana [Mr. CRUMPACKER] five minutes, from the very courteous gentleman from Illinois ten minutes, and from my distinguished friend from Indiana [Mr. GRIFFITH] fifteen minutes.

The SPEAKER pro tempore. But neither of the gentlemen from Indiana had any time to give. The debate is being conducted

under the order of the House—
Mr. PEARSON. Then I appeal to the sense of fairness of this body. It will be remembered that this morning when I withdrew my opposition to an arrangement then proposed, it was suggested that an arrangement would be made-

The SPEAKER pro tempore. The time is under the control of the gentleman from Illinois [Mr. HOPKINS] and the gentleman

from Indiana [Mr. GRIFFITH].

Mr. GROW. As it is now so near time of adjournment, and as no other gentleman probably desires to speak this evening, I suggest that the time of the gentleman from North Carolina be extended ten minutes.

Mr. HOPKINS. I have no objection to that if the time is not

taken from our side.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that
the gentleman from North Carolina may have in all twenty-five minutes, to be taken equally from the two sides. Several MEMBERS. That is right.

Mr. OTEY. I desire to know whether that arrangement would

The SPEAKER pro tempore. It would not.

Mr. OTEY. Then, of course, it would have the effect of diminishing the time already allotted to other gentlemen. Therefore I object. I am perfectly willing that the general time be extended

fifteen minutes. I ask unanimous consent that the time be so extended that the gentleman may conclude his speech.

The SPEAKER pro tempore. Unanimous consent is asked that the time for general debate be extended fifteen minutes. The Unanimous con-Chair hears no objection; and it is so ordered. sent is now asked that the gentleman from North Carolina [Mr. Pearson] may proceed for fifteen minutes longer, the additional time to be taken equally from the two sides. Is there objection? The Chair hears none.

Mr. PEARSON. Mr. Speaker, it seems a pity that a matter of this importance should be put through this body in such haste in such marked contrast with the process which would be followed in the Senate. This is the best proof that we could have that under the rules of this House we could get along just as well with 600 members as with 357. [Applause.] Whatever the number of members, you can take a man off this floor, you can gag him, you can turn him out of his seat here, without giving him an expectation to be intelligently and intelligible heard. an opportunity to be intelligently and intelligibly heard.

You do not need any better answer to the gentleman from Illinois than the mere fact which we witness now—that it is by begging and pleading and holding up our hands that we are permitted to get a few moments to express incoherently and insufficiently our views on the greatest question that has been presented here

at this term.

Mr. GAINES. Did the gentleman vote for the present rules of the House?

Mr. PEARSON. I voted for the rules of the House, and I am glad to say that we have them. We can transact more business

here under those rules in two hours than they can at the other end of the Capitol in ten days.

end of the Capitol in ten days.

Mr. GAINES. By gagging everybody?

Mr. PEARSON. And that is the best argument for an increase in the size of the House. Its business is transacted through its committees. The committees are the eyes and ears and arms of this body, as has been stated by Speaker Reed.

Now, when I was so suddenly taken off the floor I was about to say that the bitterness which followed the war and the assassination of President Lincoln was followed in the South by what was known as "the Black Codes." The Black Codes were followed in the North by what was known as the fourteenth amendment the North by what was known as the fourteenth amendment. Then came military government, and then the horrors of recon-

Those measures were followed in the South by the secret Kuklux Those measures were followed in the South by the secret Kukiux Klan. The Kuklux Klan was suppressed by rigid prosecutions emanating from this end of the line; and then, when the secret organization was suppressed, came the open, bold, unapologetic red-shirt violence of 1876, which captured the State governments. Then came an attempt at a "force bill," which passed this House. What followed? A Democratic majority of 107, I think, immediately. ately.

Then there was a repeal of the last vestige of Federal legislation on the subject of elections. And what followed that? That was done, as the gentleman from Tennessee [Mr. Richardson] knows, by his party in the Fifty-third Congress, and it received the stout and almost solid antagonism of the Republican party, but what was the result? The next House was Republican by over 100 majority, showing that there was a disposition on the part of the people that elections should be regulated by the several States.

But the most important thing in this series of acts and counteracts of crimination and recrimination of taliation and retaliation.

acts, of crimination and recrimination, of taliation and retaliation, if I may be allowed the expression, the most significant fact is a thing that was omitted, and that is that there has been no attempt in three Republican Congresses to reenact any Federal statute on the subject of elections. That is the most significant

thing, I believe, that has occurred in six years past.

It means that the leaders of the Republican party have determined to leave to the several States the regulation of the franchise. It does not mean that frauds will be tolerated; it does not mean that unconstitutional enactments will be made and indefinitely allowed; but it does mean that whenever these States in pursuance of the provisions of the Constitution shall so regulate their elections as to bear equally upon all their people, neither this House, this Congress, nor the President is inclined to interfere, and I am glad to recognize that fact.

Instead of appealing to this body for punitive laws or to the President for troops at the polls, I prefer to appeal to the consciences of my people, to the spirit of the old Whigs, which has always been for honesty and liberty, and I want no better proof that this appeal will not be in vain than the petitions now circulating in a State demanding a people of the constraints. lating in my State demanding a repeal of these monstrous election laws and signed by Democrats all over the State. I insert below a copy of these petitions; and I know that the fair-minded men of all parties who have signed these demands will not allow them to be denied or ignored.

The race prejudice is a thing which many of our Northern friends here do not understand. It is not an imaginary concepfriends here do not understand. It is not an imaginary concep-tion or a fancy. It is a concrete, an obdurate, an inexorable fact. I know it. It is this that has, in my judgment, prevented the South—the old slave South—from giving a solitary electoral vote for the Republican party in these fifteen or twenty years

Mr. Speaker, when will there be a President of the United States chosen from the South? It will be after the measure presented in the Crumpacker bill, perfected, based upon a uniform and fair law, has been accepted by the South and race prejudice has been softened or eliminated; not before. I long to see the day when South Carolina will honestly vote the Republican ticket and Vermont will velocity on Democratic

will voluntarily go Democratic.

Then we will have a free circulation of the currents of political thought in this country, and until such a day comes there will not be another President elected from the Southern States. this thought emboldens me, here and now, to appeal to my breth-ren from the South to recognize the fact that if this measure is ren from the South to recognize the fact that if this measure is now postponed the initiative would properly come from their States—from Louisiana, from North Carolina, from South Carolina, from Mississippi, from Virginia, which will act next month; from Alabama, which will act during the year; and from the others, saying, "Men and brethren, we do not require that our representation here shall be based upon a vacuum. We do not require that the negro vote shall be counted in the basis of enumeration if it is not counted at the ballot-box. We will deliberately surrender a part of our electoral power if we can have peace in our homes. And when fear is banished from our homes, then will come charity to our hearts, then will be the wining then will come charity to our hearts, then will be the wiping

away of this prejudice which has been the most deterrent force in our affairs."

Why, it is stronger than religion. It is stronger than a man's conception of his oath to the Constitution. It is stronger even than the religion of an Arab. It makes men vote contrary to their sentiments. There is no discussion of economic, or social, or posentiments. There is no discussion of economic, or social, or political questions, in the broad sense, in the overshadowing presence of the race issue.

Mr. Speaker, the race prejudice will vanish, but it will take a long time. The solvent of the race problem will be the alchemy of years, the long result of time, carrying with it certain forces which are already at work, which will be constantly at work in the future—first, the gradual but constant acquisition of property by the negro; second, the gradual but constant acquisition of knowledge by the negro; third, the gradual but constant dispersion of the negroes from the congested centers of the South. sion of the negroes from the congested centers of the South; fourth, the gradual but ever increasing division of the negro vote; and, fifth, more than all that, the accelerating gain of the white population in the matter of its increase as compared with the negroes, which is one of the most interesting questions now be-

We have a larger natural increase among the whites than among the blacks, but more than that the immigration naturally pouring into this country, almost all of it white, nearly doubles the proportion. And so it will go on gaining from year to year, and in the course of time, under God's providence, that question will be eliminated, and then will come the dawning of a grander day, because I know, and I believe I can speak the sentiments of my friends across the aisle, we are glad that the war between the States ended as it did.

We are glad that slavery was abolished. I take the liberty of saying in this presence that I myself was a slaveholder. As a child 8 years of age I owned slaves. How could I help myself? They came to me by inheritance. They were mine. In the course of my brief lifetime there is such a change of sentiment on that subject of slavery and such an abhorrence now in my own heart and such a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against it that I does not be a feeling against the same and the same and the feeling against the feeling against the same and the feeling against the feeling against the same and the feeling against the feeling ag such a feeling against it that I dare say here in this presence and before the world, as God is my judge, that I, once a slaveholder, would rather sell myself this minute than own a slave. [Applause.]

It shows a change, a revulsion, a revolution in sentiment, and I hope to God that on this race question there will be, in the process of time, a change. We are glad that slavery was abolished. We are glad that we have not two flags here on this American

we are glad that we have not two flags here on this American continent, not two separate governments with conflicting laws and antagonistic commercial systems. We are glad that we have one flag, one country, one common and splendid destiny.

When we look back to the life of Lincoln, we feel that we are moving on in the course and toward the goal for which he prayed, for which he longed, for which he died; and we are glad at this time, Mr. Speaker, to find a successor to Abraham Lincoln in the White House who has uttered such words as McKinley attered and White House who has uttered such words as McKinley uttered at Atlanta. He touched the Southern heart when he proposed to take care of the graves of our fathers and brothers who died fighting for a cause that we believed to be right. He touched our hearts when he appointed Lee and the Gordons and Wheeler into our Army to fight for that flag in foreign lands. He is entitled to the thanks of the whole country for his magnanimous course, and he is entitled especially to the thanks of our Southern men, who always appreciate magnanimity. [Applause.]

APPENDIX I.

[From Asheville Daily Gazette, November 14, 1900.]

HOW THE WRONG WAS RIGHTED—VERDICT IN PEARSON VS. CRAWFORD.

In the campaign just ended in this district the paramount issue was the merits of the contest. Mr. Crawford's partisans wore flaming red badges bearing the inscription "Right the wrong." The color indicated wrath, the words expressed the impatient confidence and suppressed vengeance of the manly bosoms on which the ribbons fluttered. The naked returns of the election tell the rest. We give below the official figures in the six rejected precincts, which were the only precincts rejected by the House of Representatives in determining the contest:

Vote in rejected precincts.

	1898.		1900.		Repub-
Precinct.	Precinct. Pear- Craw- ford. Mc	Moody.	Craw- ford.	licen	
South Waynesville	77 161 108 126 84 21	313 172 136 187 135 74	220 250 112 143 101 46	194 92 91 168 145 84	262 169 49 36 7 15
Net Republican gain					538

The above figures show that the Republicans gained in every one of the rejected precincts and actually reversed the Democratic majorities in three of them. The result shows to the world that the voters in these rejected precincts did not feel aggrieved, but on the contrary felt rejoiced that the attempted frauds upon their suffrages had been righteously rebuked.

APPENDIX II.

APPENDIX II.

ANALYSIS OF THE CONSTITUTIONAL AMENDMENT AND OF THE ELECTION LAW OF 1899.

[The following article, which was first published on September 24, 1899, received the indorsement of the Republican State executive committee on October 18, as follows: "Resolved, That the thanks of the Republicans of the State are due the Hon. RICHMOND PEARSON for his able and manly letter on the proposed constitutional amendment and the election law, and that the committee indorse the views therein expressed."]

We are midway between the elections of 1898 and 1900. We are far enough removed from the excitement of both struggles to look backward and to look forward calmly and dispassionately. Next year North Carolina will be forced to face the gravest situation which has confronted her since 1860.

Then the question was, Will the State secede from the Union? Now the question is, Will the State violate the fundamental condition on which she was readmitted into the Union. And the Democratic voters will have to decide whether they will break the solemn promise which their chairman and official head made in their name to the people of the State before the last election.

olinical head made in their name to the people of the State before the last election.

The good faith of a sovereign State and the ancient honor of a great party can not be treated or disposed of lightly; they demand thoughtful, anxious, and reverent consideration.

THE FUNDAMENTAL CONDITION.

THE FUNDAMENTAL CONDITION.

In 1868 the people of North Carolina adopted a constitution establishing universal suffrage, and in June of that year the State was readmitted into the Union subject to the fundamental condition that her constitution should never be changed so as to deprive any citizen or class of citizens of the right to vote conferred by that constitution.

That fundamental condition is still in force and will continue in force until the State attempts to break it.

The learned gentlemen who advocate the proposed amendment will not deny that it contravenes the act of Congress in that it will disfranchise some citizens upon whom the suffrage was conferred by the act of 1868.

These learned gentlemen will hardly pronounce the act of Congress unconstitutional because the validity of the reconstruction acts has been adjudicated by the Supreme Court of the United States, the final arbiter, the tribunal of last resort, and the great Judge Cooley, in commenting upon this exercise of Federal power (Cons. Lim., p. 34 n), feelingly observes:

"It suffices for the present to say that Congress claimed, insisted upon, and enforced the right to prescribe the steps to be taken and the conditions to be observed in order to restore these States to their former positions in the Union."

And he expresses the—

"Hope and trust that the occasion for discussing such questions will never arise again."

THE DEMOCRATIC PLEDGE.

THE DEMOCRATIC PLEDGE.

THE DEMOCRATIC PLEDGE.

In September, 1898, Mr. F. M. Simmons, chairman of the State Democratic committee, issued to the people of the State an address, which was both a promise and a protest, in which he uses these words:

"For the past twenty years or more, just before every election, the Republican speakers, at their midnight meetings, have been in the habit of telling the negro if the Democrats came into power the right to vote would be taken away from them.

"First, they told them if the Democrats got the State government they would disfranchise them. The Democrats got the State government, and did not disfranchise them. Then they told them if the Democrats elected a President they would disfranchise them. The Democrats elected a President, and they did not disfranchise them. The Democrats got control of Congress, and did not disfranchise them. The Democrats got control of Congress, and did not disfranchise them. All along the honest white men of the State laughed at these lies, and marveled that the negro did not have sense enough to see that he was duped.

"Finally the negro himself began to see through the trick. He had seen the Democrats in full power in the State for twenty-two years, and had learned from experience that that party did not propose to disfranchise him, and he, too, began to laugh at these liars, and finally refused to be frightened by their rot any longer. So the old Republican scarecrow had to be hauled down and put away.

"They know that the Democratic party has always stood for manhood suffrage, and they know that the Democratic party will never, under any circumstances under the sun, consent to the passage of any law which will take from them, however poor and ignorant they may be, the right to vote, or which will in any way diminish or lessen that great privilege."

IT GAINED VOTES.

This promise was so circumstantial, so earnest, so indignant, so plausible, and so fortified by political history that it almost compelled belief; it silenced the warnings of intelligent Republicans and allayed the suspicions of the timid and ignorant and gained votes by the thousands for the Democrats, who actually carried the black district and carried the county of Halifax by 1,500 majority.

And yet, with that promise fresh on his lips, without explanation and without apology, Mr. Simmons himself inaugurates and leads the movement to disfranchise the men he had promised to defend; to sacrifice the victims whom his promise had deluded; to betray the confidence which had gained for him the victory.

It should be borne in mind that the act of the assembly in 1874 calling the constitutional convention required every delegate to that convention to take an oath that they "shall not require or propose any educational qualification for office or for voting."

The proportion, both of negroes and of illiterates, in the State at that time was much greater than it is now. What would be said of the delegates to that convention if they had violated the oath and proceeded to pass the "grandfather clause" and to extol the hereditary instinct of the white man in locating his vote as proven by the hereditary instinct of the setter dog in his God-given faculty of locating the quail?

The only difference between the former case and the present is that there the members took the oath individually and here Mr. Simmons, as chairman, makes the pledge for his party. The sanction and binding force upon the honor and conscience is the same. Our amazement at the course of Mr. Simmons is increased by the following from the Washington Post of last winter:

WHAT SENATOR CAFFERY SAID.

WHAT SENATOR CAFFERY SAID.

"It was learned yesterday that the action of the North Carolina legislature in regard to a constitutional provision for the restriction of suffrage was largely based upon a visit made to this city by several leading North Carolina Democrats. Among others to whom the delegation talked was Senator CAFFERY, of Louisiana, and the Louisiana plan has been accepted by the North Carolinians. It provides that a voter whose father and grandfather voted in any State prior to January 1, 1867, shall be exempt from the property and educational qualifications prescribed in the other articles of the State constitution."

This means, of course, that it disfranchises the negro.

"At the same time Senator Caffery, as he said yesterday, was very frank to inform the delegation that he did not regard the provision as constitutional. 'It creates a privileged class,' he said, 'and I told the people of my State that it would not stand a test when they adopted it. If the legislature of North Carolina has accepted the same provision, I believe that they will find their work undone for them as soon as the matter is brought before the United States Supreme Court.'"

Notwithstanding this advice of Senator Caffery, in which his colleague, Senator McEnery, formerly chief justice of Louisiana, fully concurs, and in which the Post says every 'jurisconsult' in the land concurs, most of the learned gentlemen in North Carolina who have favored the public with their views in advocacy of the amendment start out by "assuming" the constitutionality of the measure. In the light of the decisions of our Supreme Court reviewing the political acts of the present legislature the impartial layman would be justified in assuming quite the reverse, because the court has been overruling these acts in almost every instance.

It is amazing that the learned advocates of this measure—men of excellent and approved common sense, who avow their purpose boldly—should fancy that they have successfully concealed that purpose in a periphrastic form of definition.

The ostrich on the desert, with his head in the sand and his body exposed, is the only bird which concludes that he is successfully concealed in that interesting attitude and that nobody can see him because he can see nobody.

PROMISE MADE TO BLACKS AND WHITES.

Mr. Simmons's anteelection promise was made with equal force and with equal solemnity to black illiterates and to white illiterates.

He now promises with great vehemence of expression and mysterious rolling of the eye that he will not disfranchise any white man, "however poor and ignorant."

In a now promises with great venemence of expression and mysterious rolating of the eye that he will not disfranchise any white man, "however poor and ignorant."

These men, whose ignorance is largely due to the neglect of the State, will naturally inquire whether a person who breaks a promise to a black man can be trusted to keep a promise to a white man, and, further, to inquire in what code of morals the color of the promise impairs the obligation of the promise, and, further, to inquire if in the court of conscience and of honor the help-lessness of the promisee and his inability to enforce performance does not increase rather than diminish the sanction of the promise.

These illiterate whites, before risking their salvation to Mr. Simmons, will be moved further to inquire at what particular point in his lively career did Mr. Simmons evince his special regard for the rights of the "poor and ignorant" white man. If they go back to 1886 they will find that Mr. Simmons disfranchised some 2,000 voters in Vance and Warren counties, not so much on the ground of color as because they had voted against Mr. Simmons for Congress.

And if they go back to 1892 they will find that Mr. Simmons, operating under the decision of Harris vs. Scarboro, disfranchised 49,000 voters, not on account of color, but because their names were not written in the registration books with sufficient fullness and particularity to suit the refined, critical, and exacting taste of Mr. Simmons.

And they will find that the Federal House of Representatives, containing a majority of Democrats, overruled Mr. Simmons's scheme of disfranchisement in the case of Williams vs. Settle, and that the people made haste in 1894 to overthrow Mr. Simmons at the polls, and the Supreme Court effectively suppressed his methods by their ruling in Quinn vs. Lattimore. In spite of all this, though slightlydishgured and somewhat discredited, here he comes again, still unabashed, asking poor and ignorant men to trust his naked promises and to accept his constitution

SEPARATE LOCAL GOVERNMENTS.

I take the liberty of saying that I am opposed to negro domination and have never feared such domination since Halifax became the banner Democratic county of the State.

I heartily indorse the act of the present legislature, chapter 488, entitled "An act to restore good government to the counties of North Carolina," which gives certain counties in the legislature of 1897, and I insisted upon section 5, chapter 135, of the laws of 1895—in fact, wrote the original draft of the section providing for bipartisan boards of commissioners in certain contingencies. The aim and the effect of this provision has been to safeguard the financial interests of these counties and render impossible incompetent or corrupt control by either blacks or whites.

In my judgment this separate county government law makes the proposed amendment wholly unnecessary.

SUMMARY OF REASONS.

I now submit, without fear of argument, a summary of my reasons for

I now submit, without fear of argument, a summary of my reasons for opposing the amendment:

1. I am opposed to it because I am convinced that it conflicts with the Federal Constitution.

2. I am opposed to it because I know and its advocates do not deny that it violates the act of Congress by which the State was readmitted into the Union.

3. I am opposed to it because I, along with every registered voter in the State, have taken an oath to support the Constitution and laws of the United States, and I can not violate the law which readmitted the State without violating my oath.

4. I am opposed to it because I can not accept the invitation of its most eloquent advocate "to sink my conscience for the public good." I deny the possibility of promoting public good by sinking private conscience.

5. I am opposed to it because it requires payment of poll tax as a prerequisite to veting, and this will unavoidably increase corruption in politics.

6. I am opposed to it because it will disfranchise all or none of the fillierates, both black and white. If it disfranchises none, it will be a useless and mischievous agitation. If it disfranchises none, it will be a useless and mischievous agitation. If it disfranchises none, it will be a useless and perfidy without parallel.

7. I am opposed to it because, instead of eliminating forever the negro question, if it is literally construed and strictly enforced it must leave the ballot in the hands of 54,000 negroes, 40,000 who can read and 14,000 half-break, mulattoes, and quadroons, while it will take away the ballot from the humble, decile, and inoffensive black in the country who live on the farms and are voting more and more with the men whose lands they till, if kindly treated by their landowners.

8. I am opposed to it because it is not needed in the East, where separated bod grovernments are already established, and because it is not weated in

by their landowners.

8. I am opposed to it because it is not needed in the East, where separated local governments are already established, and because it is not wanted in the West by either Democrats or Republicans.

9. I am opposed to it because under the best construction its operation will be a failure and under the worse construction its operation will be a crime.

10. I am opposed to it because I believe the more completely we treat the negro as a brute without rights the more completely he will act as a brute without obligation, and because I believe that it is dangerous to the law and order, peace and progress of the State to have within her borders a great body of men without master, without protection, without guide, without

hope, without higher restraint than the fear of punishment, and without higher incentive than the pangs of hunger and thirst.

NEW ELECTION LAW VOID.

NEW ELECTION LAW VOID.

Our new election law is the product of a cross between the Goebel law of Kentucky and the Tillman law of South Carolina.

The child bears a striking resemblance to both parents.

The human part of our machine is drawn from Goebel, the mechanical part is drawn from TILLMAN; but the worst parts are drawn from the brain of the author, who stands, like an acrobat, with one foot on Goebel's shoulder, the other on TILLMAN's shoulder, and performs feats of daring which outclass his supporters and place him deservedly in the rank of Machiavelli.

The origin of our law is seen by a glance at the following parallel:

GOEBEL ELECTION LAW.

SEC. 1. The general assembly shall at its present session elect three com-missioners, who shall be styled "The State board of election commission-

SEC.2. Said State board of election commissioners shall annually, not later than the month of September, appoint three election commissioners for each county, who shall be styled "The county board of election commissioners."

"The county board or election com-missioners."

Sec. 3. Said county board shall an-nually, not later than the month of October, appoint for each election precinct in the county two judges, one clerk, and one sheriff of election to act as such in their precinct.

SIMMONS ELECTION LAW.

SIMMONS ELECTION LAW.

SEC. 4. That there shall be a State board of elections consisting of seven discreet persons, who shall be electors, elected by the general assembly at its present session.

SEC. 5. That there shall be in every county in the State a county board of elections, to consist of three discreet persons who are electors in the county in which they are to act, who shall be appointed as hereinafter provided by the State board of elections.

SEC. 7. That it shall be the duty of the county board of elections in each county to appoint all registrars and judges of election in their respective counties.

WATTERSON DESCRIBES THE GOEBEL LAW.

The Courier-Journal, in an editorial written by Henry Watterson himself, said of it:

"The people may well stand aghast before the revolutionary election bill which has, like some dread monster, suddenly emerged from the fastness of passion and error through which the legislature has been threading its tor-

passion and error through which the legislature has been threading its tortuous way.

"It is safe to say that the annals of free government will be sought in vain for anything approaching it in shameless effrontery and unconcealed deformity. The records of reconstruction furnish nothing to compare with it. The Brownlow despotism at its worst ventured upon nothing so boldly, wholly bad as this.

"In all the force bills meditated by the radicals in Congress during the days of reconstruction there were discernible some pretense or pretext, some lingering memory of republican instincts and traditions. Even in the plebiscites of Louis Napoleon there was the outward display of a just electoral process and purpose.

"This force bill gives the voters of Kentucky not a ray of hope. It makes no claim or show of fairness. It places exclusively in the hands of three irresponsible persons, to be named by the authors of the measure itself, the entire electoral machinery of the State. That is the whole of it. In one word and at one fell swoop Kentucky is to become the subject of a triumvirate which is to decide who shall hold office and who shall not."

THE NEW LAW.

Mr. Simmons appears to have overlooked one great truth in toxicology—that a grain of poison will kill the victim, but an ounce of the same poison will so shock the stomach that it will be rejected. Dr. Simmons has administered an overdose. The act, chapter 507, laws of 1859, entitled "An act to regulate elections." is unconstitutional and void because:

1. It requires an educational qualification.

2. It virtually requires the payment of a poll tax.

3. It confers arbitrary powers upon the registrars and judges of election.

4. It denies the fundamental rights of man.

Ever since the Halifax convention, that is to say, during a period of one hundred and twenty-four years, every election law in force in North Carolina has made it the duty of the judges of election to deposit the ballots in the proper ballot boxes.

Now, for the first time in the State's history, this provision is significantly omitted, and the voter must deposit his own ballot, and if he puts it in the wrong box, the ballot is void.

ANOTHER REQUIREMENT.

ANOTHER REQUIREMENT.

There are not less than five boxes in a general election. Therefore in order to exercise the right of suffrage the voter must be able to read the labels on the different boxes.

This requirement conflicts with article 6, section 1, of our constitution, and is therefore void.

2. The law, section 11, requires the registrar to ask the applicant for registration;

2. The law, section 11, requires the registrar to ask the applicant for registration:

"Whether he has listed for taxation his poll tax for the current year in which he proposes to register and for the year next preceding, if liable to pay a poll tax."

And further, the same section provides:

"That if any applicant for registration who is permitted to register shall confess upon his examination under oath at the time he is admitted to registration that he has not listed his poll for taxation for the current year in that year, or if he shall admit that the time of his said application is after the time fixed by law for listing taxes, or did not list his poll for taxation for the year next preceding, it shall be the duty of the registrar to certify said fact or facts to the clerk of the superior court of his county, and the said clerk shall hand such certificate to the solicitor for the district at the next term of the superior court, and the solicitor shall, without delay, draw and send to the grand jury a bill of indictment against such elector so registering for failure to list his poll tax."

INDICTMENT OF VOTERS.

INDICTMENT OF VOTERS.

INDICTMENT OF VOTERS.

The law says to the voter, "If you vote without listing your poll tax, you shall be indicted."

It is idle to contend that this does not make the listing of the poll for taxation a prerequisite to voting. Where is the man who will stand an indictment in order to enjoy the luxury of voting?

This requirement of the law is in conflict with Article VI, section 1, of our constitution, and is therefore void.

In Van Bokkelen vs. Canaday (73 N. C. R., p. 222), the court declares: "The general assembly can not in any way change the qualifications of voters in State, county, township, city, or town elections."

And in Railroad vs. Commissioners (72 N. C. R., p. 492).

The constitution defines who are the qualifications.

In the law which we are considering the legislature has attempted to force upon the people the very qualifications on which they have invited the peo-

ple to pronounce judgment in the form of a constitutional amendment. They attempt to put into operation tests of the right of suffrage before such tests have been adopted by the people.

This is condemning a man first and trying him afterwards.

3. After the intending voter has proved his qualifications with the most stringent particularity by the oath of two other voters, and, in addition thereto, has himself taken the prescribed oath, we find in section 22 the following:

"Provided, That after such oath shall have been taken the registrars and judge may nevertheless refuse to permit such person to vote, unless they can be satisfied that he is a legal voter."

In other words, after the applicant has furnished all the proof required by the law he may nevertheless be rejected and disfranchised by the arbitrary decision of the registrar and judge.

In the case of Van Bokkelen vs. Canaday (73 N. C. R., p. 229), Judge Rodman says:

says:
"The right to vote is property, and no man can be deprived of it 'but by the law of the land,' and the arbitrary will of the registrar is not 'the law of the land' in the well-settled meaning of the bill of rights."

THE MASTER STROKE.

4. We now come to the master stroke.

Section 23 provides:

"That a space of not more than 50 feet in every direction from the polls or the room in which the election is held may be kept open and clear of all persons except the election officers herein provided, which space may be railed or roped off, with a narrow passage leading to and from the polls.

railed or roped off, with a narrow passage leading to and from the polls.

"After the elector has entered the passage no one except the registrar or judges of election or challengers hereinafter provided for shall be permitted to speak to him or make any signs to him, nor shall he be permitted to speak or make any signs to anyone except the registrar or judge of election."

What is the meaning and the object of this most extraordinary provision? Remember that the law takes away from the judges the duty of "carefully depositing the ballot in the ballot box" and repeals the former law declaring that "a ballot found in the wrong box shall be presumed to have been put there by mistake;" that section 29, the new law, declares "if a ballot be found in the wrong box, it shall not be numbered, but shall be void," so that the voter must deposit his ballot with his own hand and take the chances of getting it in the right box or of losing his vote. The educated man can read the labels on the boxes, but the illiterate man, black or white, is helpless in this respect, so that this monstrous provision is aimed exclusively at the ignorant man, and the purpose in denying him the right of asking questions or making signs is to increase the chances of his hitting the wrong box. The law thus becomes an active partner in the cheating, and the State, which has neglected to educate her children, is put in the attitude of mocking their misfortune and of adding to their helplessness. Mind you, the victim in the narrow passage is a white man and a Democrat; he holds in his hand a ballot "Against amendment:" his executioners are two partisan Democrats and one pretended Republican, all favoring the amendment. They tell him to "vote lively and pass along;" he drops his ticket into the legislative box and it is lost and he is disfranchised. Mr. Simmons, is this the "poor and ignorant white" man whom you have promised to protect? Is this law the best proof you can give of your devotion to his rights and interests?

THE RIGHTS OF VOTERS IGNORED.

Do you pretend that this provision will be enforced in the east but not in the west? The answer is:

"All regulations of the election franchise, however, must be reasonable, uniform, and impartial. They must not have for their purpose, directly or indirectly, to deny or abridge the constitutional right of citizens to vote or unnecessarily to impede its exercise; if they do, they must be declared void." (Cooley Cons. Lim., p. 602.)

So that your law must be uniform or it will be declared void. The right to establish separate local governments in the different counties comes from the express grant of power in section 14, Article VII, of the constitution, but Article VI on suffrage contains no such authority.

Mr. Simmons must know that our mountain people, Democrats as well as Republicans, will resent the operation of section 23 of the election law. Men who cherish the memories of Kings Mountain and Mecklenburg will not permit themselves to be driven into a slaughter pen like dumb brutes and denied the right "to speak or make signs;" they will not permit the act of voting, which they have regarded as an act of pride and dignity, to be converted into an act of personal humiliation and shame.

You might just as well require them to crawl through the narrow passage on their all fours, sprinkle dust on their heads, and thus offer the "grand salaam" to your election bailiffs.

You might just as well deny the right of a lost traveler to ask which is the right road as deny to the bewildered voter the right to ask which is the right sof man, is in conflict with our bill of rights, and is therefore void.

Mr. Simmons, have you never read these words of Chatham:

"The poorest man may in his cottage bid defiance to all the forces of the Crown. It may be frail, its roof may shake, the wind may blow through it, the storm may enter, the rain may enter, but the King of England may not enter. All his force dare not cross the threshold of the ruined tenement."

And I am bold enough to tell you that the force of all your election

RICHMOND PEARSON.

APPENDIX III.

PETITION FOR AMENDMENT OF EXISTING ELECTION LAW.

To the honorable the General Assembly of North Carolina:

The undersigned citizens and voters of North Carolina respectfully and humbly petition your honorable body to amend the existing election law in the following particulars, to wit:

First. That sections 88 and 89 be repealed, so as to restore the functions which have belonged to the judiciary since the foundation of our Government. Second. That the registrars shall be required before entering upon their duties to take an oath to discharge honestly and impartially the duties of their office.

duties to take an eath to discharge honestly and impartially the duties of their office.

Third. That the judges of election shall carefully deposit the ballots in the proper ballot boxes, and that ballots found in the wrong box, if the poll list shows that such ballots have been honestly cast, but misplaced, shall not be void, but shall be counted according to the manifest will of the voter.

Fourth. That any officer of election who knowingly and willfully commits fraud shall be guilty of a misdemeanor and upon conviction shall be punished by fine and imprisonment.

Fifth. That one member of each county board of elections shall be of a

different political party from that of the other two members of the board. And the judges of election, chosen under section 17 of the existing law to represent the minority party, shall be selected from a list of names of honest and competent men presented to the several county boards of election by the chairman of the county executive committee representing such minority

Sixth. That in passing upon the qualifications of an elector the officers of election shall be bound by the ordinary and long-established rules of evidence.

We respectfully submit that these demands are reasonable, that they are founded upon manifest principles of justice, and are essential to the honest expression of the popular will, the foundation stone of a republican form of government.

APPENDIX IV.

LETTER OF EXPLANATION TO ACCOMPANY THE PETITION.

LETTER OF EXPLANATION TO ACCOMPANY THE PETITION.

DEAR SIR: The demands set forth in the accompanying petition are so simple and reasonable that an explanation seems hardly necessary. As the constitutional amendment goes into effect before the date of the next general election, there can be no honest excuse, even among partisans, to refuse to allow the voters who may still be entitled to vote a reasonably fair expression of their will, and it is confidently believed that thousands of fair-minded Democrats will join in the effort to secure this result and sign the petition for that purpose.

sion of their will, and it is confidently believed that thousands of fair-minded Democrats will join in the effort to secure this result and sign the petition for that purpose.

The first demand, if granted by the legislature, simply restores to the courts the right to issue writs of mandamus and injunction in cases where election officers refuse to do their duty or openly violate their duty. These great writs have never heretofore been suspended in North Carolina in time of peace.

The second demand simply requires the registrars to take an oath to discharge their duty honestly and impartially. No officer will refuse to take an oath unless he intends to commit a fraud.

The third demand requires the judges to deposit the ballots in the proper ballot box. This law has been upon our statute books for one hundred and twenty-three years—in fact, ever since the formation of the State. But it was repealed by the legislature of 1899, and in many places during the August election the voters were required to deposit their own ballots, and of course the illiterate voters were thus subjected to an unconstitutional test. The people of Transylvania County lost the representative of their choice solely because the judges of election of Brevard required the voters to deposit their own ballots, which in many instances went into the wrong box and were thus destroyed as completely as if they had been cast in the fire. The honest men of North Carolina will not submit to the permanent enforcement of this unjust, cruel, and unconstitutional provision, but will eagerly join in the demand for its repeal.

The fourth demand simply provides that an election officer who willfully commits fraud shall be punished. Who will deny the manifest justice of this demand?

The fifth demand provides for minority representation on the county and

commits fraud shall be punished. Who will deny the manifest justice of this demand?

The fifth demand provides for minority representation on the county and precinct boards of election, and requires that the officers who are chosen to represent the minority party shall be honestand competent, instead of being corrupt and illiterate, as many of them confessedly were at the August election. Republicans would naturally prefer to select an honest Democrat as their representative rather than a dishonest Republican.

The sixth demand simply requires that the election officers, in passing upon the qualifications of electors, and as such acting in a judicial capacity, shall be bound by the same rules of evidence as would govern superior court judges in discharging their functions.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed joint resolution of the following title; in which the concurrence of the House was requested:

S. R. 145. Joint resolution authorizing the Secretary of War to grant permits to the executive committee on inaugural ceremonies for use of reservations or public spaces in the city of Washing-ton on the occasion of the inauguration of the President-elect, on March 4, 1901, etc.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows.

To Mr. Heatwole, for one week, on account of sickness. To Mr. Butler, until Thursday next, on account of sickness in his family

To Mr. SMITH of Illinois, for ten days, on account of important business.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Invalid Pensions was discharged from the further consideration of the bill S. 812, and the same was referred to the Committee on Military Affairs.

And then, on motion of Mr. Hopkins (at 5 o'clock and 10 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive commu-nications were taken from the Speaker's table and referred as fol-

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Brazos River, Texas—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioner of Internal Revenue submitting draft of a bill for paying the claim of P. A. McLain—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting an estimate of appropriation for pneumatic-tube service—to the

Committee on the Post-Office and Post-Roads, and ordered to be

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of William F. Taylor, administrator of Cassandra S. Price, deceased, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, relating to the relief of the Fourth Arkansas Mounted Infantry—to the Committee

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Architect submitting an estimate of appropriation for continuing work on the post-office and courthouse building in Chicago—to the Committee on Appropriations, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were there-

upon referred as follows:
A bill (H. R. 13168) for the relief of Christian Clisewaner-Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 13287) granting a pension to Carrie Le Baron—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as

By Mr. KAHN: A bill (H. R. 13301) prohibiting and regulating the coming of Chinese persons into the United States—to the Com-mittee on Foreign Affairs.

By Mr. RUSSELL: A bill (H. R. 13302) to encourage the exportation of manufactured articles of which domestic alcohol is a

constituent—to the Committee on Ways and Means.

By Mr. LOVERING: A bill (H. R. 13303) to make the currency responsive to the varying needs of business at all seasons and in all sections—to the Committee on Banking and Currency.

By Mr. MINOR: A bill (H. R. 13304) to provide for the disposition of useless papers in the Executive Departments—to the Com-

mittee on Disposition of Useless Papers in the Executive Depart-

By Mr. MANN: A bill (H. R. 13305) to provide for the erection

of a bronze equestrian statue of the late Brig. Gen. Count Casimir Pulaski at Washington, D. C.—to the Committee on the Library.

By Mr. McCALL: A bill (H. R. 13306) providing for additional appointments to United States Naval Academy—to the Committee on the Library. tee on Naval Affairs.

By Mr. RIXEY: A bill (H. R. 13307) to provide for the rebuild-

By Mr. RIXEY: A bill (H. R. 13307) to provide for the rebuilding of the Aqueduct Bridge, in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RAY of New York: A bill (H. R. 13308) to amend an act approved August 13, 1894, entitled "An act for the protection of persons furnishing materials and labor for the construction of public works"—to the Committee on the Judiciary.

By Mr. ADAMSON: A bill (H. R. 13309) to amend section 19 of charter 252, 29 Statutes at Large approved May 28, 1896—to the

chapter 252, 29 Statutes at Large, approved May 28, 1896-to the

chapter 252, 29 Statutes at Large, approved May 28, 1896—to the Committee on the Judiciary.

Also, a bill (H. R. 13310) to amend section 3296, Revised Statutes of the United States—to the Committee on Ways and Means.

By Mr. LAMB (by request): A bill (H. R. 13332) for the relief of holders and owners of certain District of Columbia special-tax scrip—to the Committee on the District of Columbia.

By Mr. SMALL: A bill (H. R. 13366) authorizing an additional survey of an inland water route from Norfolk, Va., to Beaufort Inlet, North Carolina—to the Committee on Rivers and Harbors.

By Mr. GROUT: A resolution by the general assembly of the

Inlet, North Carolina—to the Committee on Rivers and Harbors. By Mr. GROUT: A resolution by the general assembly of the State of Vermont, praying for proper recognition of and reward for the extraordinary service of Capt. Charles E. Clark, in command of the battle ship Oregon during the late Spanish war—to the Committee on Naval Affairs.

By Mr. WEEKS: A resolution of the house of representatives of the State of Michigan, indorsing the Grout bill—to the Committee on Agriculture.

By Mr. SOUTHARD: A concurrent resolution (H. C. Res. 65) to print 6,000 additional copies of the Report of the Director of the Mint on the production of the precious metals for the calendar year 1899, and to print 8,000 copies of the Report of the Director

dar year 1899, and to print 8,000 copies of the Report of the Director of the Mint covering the Operations of the Mints and Assay Officers for the fiscal year ending June 30, 1900—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BANKHEAD: a bill (H. R. 13311) for the benefit of the legal representatives of Asbury Dickins—to the Committee on

By Mr. BARBER: A bill (H. R. 13312) granting a pension to Albert Foster—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 13313) for the relief of the heirs and legal representatives of Peter Rubadeau—to the Committee on Claims.

By Mr. DAVIS: A bill (H. R. 13314) granting an increase of pension to Orville E. Campbell—to the Committee on Invalid pension t Pensions.

Pensions.

By Mr. DOVENER: A bill (H. R. 13315) for the relief of Gideon C. Corley—to the Committee on Claims.

Also, a bill (H. R. 13316) to restore to the pension rolls the name of Andrew C. Smith—to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 13317) granting an increase of pension to Frederick N. Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13318) granting an increase of pension to Mary J. Hill—to the Committee on Invalid Pensions.

Mary J. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13319) granting an increase of pension to Elizabeth Babcock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13320) to increase the pension of Lambert Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13321) granting a pension to John Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13324) granting a pension to Hannah Waldron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13323) for the relief of Almon McNinch—to the Committee on Military Affairs.

Also, a bill (H. R. 13324) amending the record of Frederick Soloten—to the Committee on Military Affairs.

Also, a bill (H. R. 13325) granting an honorable discharge to Frank Paul—to the Committee on Military Affairs.

Also, a bill (H. R. 13326) to correct the record of Frederick Stewart—to the Committee on Military Affairs.

By Mr. GIBSON: A bill (H. R. 13327) granting a pension to James Davis—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 13328) granting a pension to

Catharine Wallis—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 13329) granting a pension to Grotius N. Udell—to the Committee on Invalid Pensions.

By Mr. HENRY of Mississippi: A bill (H. R. 13330) for the relief of Mrs. Kate Skipwith Lemman, Hinds County, Miss.—to the Committee on War Claims.

By Mr. LACK: A bill (H. R. 13221) granting a pension to Lecept.

Committee on War Claims.

By Mr. JACK: A bill (H. R. 13331) granting a pension to Joseph Nelson—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 13333) extending Letters Patent No. 293740, issued to Isaac S. Hyatt, for seven years from February 19, 1901—to the Committee on Patents.

By Mr. OTEY: A bill (H. R. 13334) for the relief of the State Savings Bank of Roanoke, Va.—to the Committee on Claims.

By Mr. O'GRADY: A bill (H. R. 13335) to remove the charge of desertion from the military record of William H. Battelle—to the Committee on Military Affairs.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 13336) to compensate Sophie Kosack for injuries sustained and reward her

compensate Sophie Kosack for injuries sustained and reward her

compensate sopnie Rosack for injuries sustained and reward ner for bravery displayed in rescuing the imperiled in the "Old Ford's Theater" disaster—to the Committee on Claims.

By Mr. RUPPERT: A bill (H. R. 13337) for the relief of Phillip Hague—to the Committee on Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13338) for the relief of Thomas H. Streeter—to the Committee on War Claims.

Also, a bill (H. R. 13339) for the relief of the heirs of George W. Hughes—to the Committee on War Claims.

Also, a bill (H. R. 13349) for the relief of the heirs of George W. Hughes—to the Committee on War Claims.

Also, a bill (H. R. 13341) for the relief of Margret L. Watkins—to the Committee on War Claims.

Also, a bill (H. R. 13341) for the relief of Charity Boyed—to the Committee on War Claims.

Also, a bill (H. R. 13342) for the relief of Robert D. Cox—to the Committee on War Claims.

Also, a bill (H. R. 13343) for the relief of the heirs of John Pettipool—to the Committee on War Claims.

Also, a bill (H. R. 13344) for the relief of the heirs of Josiah Springer—to the Committee on War Claims.

Also, a bill (H. R. 13345) for the relief of Mrs. W. E. Trousdale—to the Committee on War Claims.

Also, a bill (H. R. 13346) for the relief of Mrs. W. R. Britton—to the Committee on War Claims.

Also, a bill (H. R. 13347) for the relief of the heirs of John Wilson—to the Committee on War Claims.

Also, a bill (H. R. 13348) for the relief of the heirs of Rebecca Haley—to the Committee on War Claims.

Also, a bill (H. R. 13349) for the relief of the heirs of Moses Wright—to the Committee on War Claims.

Also, a bill (H. R. 13350) for the relief of the heirs of Stewart Wilson—to the Committee on War Claims.

Also, a bill (H. R. 13351) to place the name of Sandy Crawford on pension roll—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 13352) for the relief of officers and men who suffered loss of all personal property by the storm at

Galveston—to the Committee on Military Affairs.

By Mr. HENRY C. SMITH: A bill (H. R. 13353) granting an increase of pension to Joseph Gregory—to the Committee on Invalid Pensions.

Valid Pensions.

Also, a bill (H. R. 13354) granting an increase of pension to James Brown—to the Committee on Invalid Pensions.

By Mr. SNODGRASS: A bill (H. R. 13355) granting a pension to Dock Brackin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13356) increasing pension of Hezekiah E. Burchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13357) granting pension to Hardy Shadwick, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13358) granting a pension to Martin Dismukes—to the Committee on Pensions.

By Mr. SMITH of Kentucky (by request): A bill (H. R. 13359) for the relief of Benjamin F. Lutman—to the Committee on War

Claims. Also (by request), a bill (H. R. 13360) for the relief of Dennis Pride—to the Committee on War Claims.

Also (by request), a bill (H. R. 13361) for the relief of Alderson T. Keen—to the Committee on War Claims.

Also (by request), a bill (H. R. 13362) for the relief of Columbus B. Allen—to the Committee on Invalid Pension.

By Mr. SPIGHT: A bill (H. R. 13363) for the relief of the estate of William Parker—to the Committee on War Claims.

By Mr. TOMPKINS: A bill (H. R. 13364) to refer the claim of Louis A. Guerber to the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 13365) for the relief of Nancy Rose, light-house keeper—to the Committee on Interstate and Foreign Com-

By Mr. GILLET of New York: A bill (H. R. 13367) removing the charge of desertion from the military record of Gilbert Moore—to the Committee on Military Affairs. By Mr. GRAFF: A bill (H. R. 13368) for the relief of John I. Craig, heir of Johnston Craig, deceased—to the Committee on War

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABCOCK: Resolutions of the Baptist Church, Con-

gregational Church, and Methodist Church of Bloomington, Wis.,

favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. BINGHAM: Resolutions of the Philadelphia County (Pa.) Medical Society, urging favorable legislation for the medical department of the Army—to the Committee on Military Affairs.

Also, resolutions of the National Wholesale Druggists' Association of the Market of the free distribution of medicine by the free distribution of medicine or the free distribution of the free distributi

tion, opposing the free distribution of medicinal remedies—to the

Committee on Agriculture.

Also, resolution of the Thirty-fourth Annual Encampment of the Grand Army of the Republic, commending the work accomplished by the Gettysburg National Park Commission and asking for further appropriation to complete the work—to the Committee on Appropriations

mittee on Appropriations.

By Mr. BOUTELL of Illinois: Petition of Mrs. G. P. Fisher and other citizens of Chicago, Ill., for the relief of Pima and Papago Indians—to the Committee on Indian Affairs.

Also, petition of Mrs. Merriam Timolat and other women of

Minneapolis, Minn., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

Also, petition of the Smith-Wallace Shoe Company and other business firms of Chicago, Ill., for the repeal of the tax of 15 per cent ad valorem on imported hides—to the Committeeon Ways and Means.

By Mr. BROMWELL: Petition of the board of trustees, commissioners of waterworks, Cincinnati, Ohio, for the defeat of a bill granting an extension of patent to I. S. Hyatt—to the Committee on Patents.

Also, petition of A. B. Ratterman & Sons and other manufacturers of Cincinnati, Ohio, praying for the removal of the duty on hides—to the Committee on Ways and Means.

By Mr. COONEY: Petition of E. L. Weaver, administrator of the estate of Felix B. Weaver, late of Greene County, Mo., for reference of war claim to the Court of Claims—to the Committee on Way Claims on War Claims.

By Mr. ESCH: Resolutions of the Department of Pennesylvania,

Grand Army of the Republic, commending the work already accomplished on the National Military Park at Gettysburg, and asking that continued aid be given thereto-to the Committee on

Appropriations.

By Mr. FITZGERALD of Massachusetts: Resolutions of the Massachusetts State Board of Trade, favoring Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Marine and Fisheries.

Also, resolutions of the National Association of Agricultural Implement and Vehicle Manufacturers, Chicago, Ill., favoring legislation in regard to irrigation of public lands, surveys, etc.—to the Committee on Appropriations.

Also, resolutions of Good Roads Convention, held in Chicago, Ill., asking for an appropriation of \$150,000 for the office of Public Road Inquiry—to the Committee on Agriculture.

By Mr. GIBSON: Paper to accompany House bill granting a pension to George Owens—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting a pension to William Cooper—to the Committee on Invalid Pensions.

By Mr. GRAFF: Petition of John I. Craig, heir of Johnston Craig, deceased, late of the State of Illinois, for reference of war claim to the Court of Claims—to the Committee on War Claims.

claim to the Court of Claims—to the Committee on War Claims.

By Mr. GREENE of Massachusetts: Resolutions of the Boston
Paper Trade Association, favoring reciprocal trade relations with
Canada—to the Committee on Ways and Means.

By Mr. GRIFFITH: Paper to accompany House bill No. 12440, granting an increase of pension to William Brown—to the Com-

mittee on Invalid Pensions.

Also, statement of Milo J. Bowan, guardian, to accompany
House bill granting an increase of pension to Catharine Wallace to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 13079, granting a pension to Elymas F. Wilkins-to the Committee on Invalid Pensions.

Also, petition of J. L. Vinson and 36 other members of the Ep-worth League, of Brownstown, Ind., favoring uniform marriage and divorce laws and certain other measures—to the Committee on the Judiciary.

Also, petition of employees of the Bureau of Animal Industry, for increase of salaries and other measures—to the Committee on Agriculture.

By Mr. GROUT: Petition of Granite Polishers' Union No. 8642, of Barre, Vt., favoring the passage of House bills 6882 and 5450—to the Committee on Labor.

By Mr. HOFFECKER: Resolutions of Pomona Grange of Kent County, Del., favoring the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. HOPKINS: Petition of Post No. 468, of Downers Grove,

Grand Army of the Republic, Department of Illinois, favoring the passage of a graded service-pension bill—to the Committee on Invalid Pensions.

By Mr. JACK: Petition of Cyrus Stouffer and other citizens of Blairsville, Pa., to accompany House bill granting an increase of pension to Joseph Nelson—to the Committee on Invalid Pen-

By Mr. LITTAUER: Petitions of the Presbyterian churches of Mayfield and Johnstown, N. Y., and Methodist Episcopal Church of Moira, N. Y., to ratify treaty between civilized nations relative to alcoholic trade in Africa—to the Committee on Alcoholic Liquor Traffic.

By Mr. O'GRADY: Papers to accompany House bill to remove the charge of desertion from the military record of William H. Battelles—to the Committee on Military Affairs.

By Mr. OTEY: Petition of F. A. Barnes to accompany House bill for the relief of the State Savings Bank of Roanoke, Va.—to the Committee on Claims.

By Mr. OVERSTREET: Petition of the Hendricks-Vance Company and other business firms of Indianapolis, Ind., for the repeal of the tax of 15 per cent ad valorem on imported hides—to the Committee on Ways and Means.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill for the relief of the estate of George W. Hughes—to the Committee on War Claims.

Also papers to accompany House bill for the relief of Thomas.

Also, papers to accompany House bill for the relief of Thomas H. Streater—to the Committee on War Claims.

Also, papers to accompany House bill to place the name of Sandy Crawford on the pension roll—to the Committee on Invalid Pensions.

Pensions.

By Mr. ROBINSON of Indiana: Petition of Henry Krich, of Monroeville, Ind., against the establishment of the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN of New York: Petition of Leander Frost and 6 citizens of Buffalo, N. Y., to accompany House bill No. 13282, correcting the military record of the said Leander Frost—to the Committee on Military Affairs.

By Mr. STEELE: Petition of J. E. Larimer and 21 other internal-revenue gaugers, storekeepers, etc., of the Sixth Congressional district of Indiana, asking for an increase of pay—to the Committee on Ways and Means.

By Mr. SMITH of Kentucky (by request): Papers to accompany House bill granting a pension to Columbus B. Allen—to the

Committee on Invalid Pensions.

By Mr. SNODGRASS: Papers to accompany House bill granting a pension to Dock Brackin—to the Committee on Invalid Pen-

Also, paper to accompany House bill granting a pension to Hardy Shadwick, jr.—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting an increase of pension to Hezekiah E. Burchard—to the Committee on Invalid Pensions.

By Mr. SPRAGUE: Resolutions of the Boston Paper Trade Association, favoring reciprocal trade between United States and Canada—to the Committee on Ways and Means.

By Mr. STEVENS of Minnesota: Petition of Minneapolis Chamber of Commerce against the passage of House bill No. 1439, amending the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of Iowa: Petition of citizens of Sheldon,

It is a service pension bill—to the Committee on Invalid Pensions.

By Mr. WEEKS: Petitions of George W. Plough life-saving crews of Thunder Bay Island, favoring bill to promote efficiency of Life-Saving Service—to the Committee on Merchant Marine and Fisheries.

By Mr. JAMES R. WILLIAMS: Paper to accompany House bill for the relief of Sarah A. Tanquary—to the Committee on

Invalid Pensions.

Also, papers to accompany House bill for the relief of Thomas Sheridan—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Millia

Williams—to the Committee on Invalid Pensions.

By Mr. ZIEGLER: Petition of citizens of the Nineteenth Congressional district of Pennsylvania, favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

SENATE.

TUESDAY, January 8, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D. The Journal of yesterday's proceedings was read and approved. ELECTORAL VOTES OF KENTUCKY AND MINNESOTA.

The PRESIDENT pro tempore laid before the Senate two communications from the Secretary of State, transmitting certified copies of the final ascertainment of the electors for President and Vice-President appointed in the States of Kentucky and Minnesota; which, with the accompanying papers, were ordered to lie on the table.

STATUS OF TENNESSEE ENROLLED MILITIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of December 18, 1900, a report from the Chief of the Record and Pension Office relative to the claims of the officers and enlisted men of the First, Second, Third, Fourth, Fifth, Sixth, and Seventh regiments of the Enrolled Militia which constituted a part of the garrison of Memphis and of the western district of Tennessee, etc.; which, on motion of Mr. Turley, was, with the accompanying papers, ordered to lie on the table, and be printed.

THE PNEUMATIC-TUBE SERVICE. The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, transmitting, pursuant to law, the results of the investigation into the pneumatic-tube service for the transmission of mail; which, with the accompanying papers, was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

FRANCHISES IN PORTO RICO.

The PRESIDENT pro tempore laid before the Senate a communication from the secretary of Porto Rico, transmitting copies of franchises granted by the executive council of Porto Rico to the Port America Company and to Ramon Valdes; which, with the accompanying papers, was referred to the Committee on the Pacific Islands and Porto Rico, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes, and the bill (H. R. 11281) to ratify and

confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes; asks conferences with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Sherman, Mr. Curtis, and Mr. Little managers at the respective conferences on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 163) for the relief of Henry O. Morse; and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented petitions of the Woman's Christian Temperance Union of New York City, the congregations of the Methodist Episcopal and First Baptist churches of Wellsville, and of J. S. E. Erskine, of Thompson Ridge, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were

ordered to lie on the table.

He also presented petitions of the keepers and crews of the life-saving stations at Quogue and Tiana, in the State of New York, praying for the enactment of legislation to promote the efficiency of the Life-Saving Service and to encourage the saving of life from

shipwreck; which were referred to the Committee on Commerce.
He also presented petitions of Laundry Workers' Union, No.
8682, of Berlin; of Federal Labor Union, No. 8271, of Amsterdam;
of the Woodworkers' Union of Troy; of Brush Makers' Protective
and Benevolent Association, No. 7394, of New York City; of
Boiler Makers and Iron Shipbuilders Helpers and Heaters' Union,
No. 8001, of Buffelo, and of Stell Cabinat Workers' Union, No. 8001, of Buffalo, and of Steel Cabinet Workers' Union, No. 7294, of Jamestown, all in the State of New York, praying for the enactment of legislation to regulate the hours of daily work of laborers and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education

and Labor.

He also presented petitions of Local Grange, No. 827, Patrons of Husbandry, of Arena; of sundry citizens of Delaware County; of C. H. Whitcomb, of West Somerset; of Local Grange, No. 693, Patrons of Husbandry, of Greig; of William G. Head, of Cherry Valley; of sundry citizens of North Franklin, Elmira, and Chautauqua County; of H. E. Anderson, of Frewsburg; James McCarthy, of Woodhull; W. E. Ward, of Albany; E. D. Green, of Chester; J. D. F. Woolston, of Cortland; of Local Grange, No. 235, Patrons of Husbandry, of Sheridan; of Local Grange, No. 311, Patrons of Husbandry, of Greece, and of Local Grange, No. 896, Patrons of Husbandry, of Rhinebeck, all in the State of New York, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were regulate the manufacture and sale of oleomargarine; which were

regulate the manufacture and sale of oleomargarine: which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Cottage Grange. No. 829, Patrons of Husbandry, of West Perrysburg, N. Y., praying for the enactment of legislation to regulate the branding of cheese; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Frederick D. Power, secretary of the Congressional Temperance Society and also of the Reform Bureau, praying for the enactment of legislation to prohibit the sale of intoxicating lignors to native races in Africa: which was

sale of intoxicating liquors to native races in Africa; which was referred to the Committee on Foreign Relations.

Mr. HARRIS presented a petition of sundry citizens of Kansas, praying for the repeal of the revenue taxon grain products; which

was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Kansas, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all the insular possessions of the United States; which was referred to the Committee on the Philippines.

He also presented sundry petitions of citizens of Chautauqua, and of Cowley and Chautauqua counties, all in the State of Kansas. praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Live Stock Exchange of

South St. Joseph, Mo., remonstrating against the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Michigan State Millers' Association, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Great Atlantic and Pacific Tea Company and sundry other wholesale and retail grocers of the United States, praying for the repeal of the duty on tea; which was referred to the Committee on Finance.

Mr. KENNEY presented a petition of sundry citizens of Dulaware, praying for the adoption of an amendment to the Constitu-tion providing for the election of United States Senators by a direct vote of the people; for an appropriation providing for the extension of free rural mail delivery; for the establishment of